

A History of the American People

VOLUME I

1500-1850





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A HISTORY OF THE AMERICAN PEOPLE

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SCRIPPS COLLEGE

VOLUME I
THE CREATION OF
A NEW OCCIDENTAL POWER
1500-1850

1934

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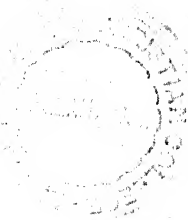


"History, at bottom, is a study of the motives of men."

—ALBERT BUSHNELL HART.

"... one more illustration of that general thesis which in fact underlies this whole series of lectures—the thesis that all the varied activities of men in the same country and period have intimate relations with each other, and that one cannot obtain a satisfactory view of any one of them by considering it apart from the others."

—J. FRANKLIN JAMESON.



NOTE

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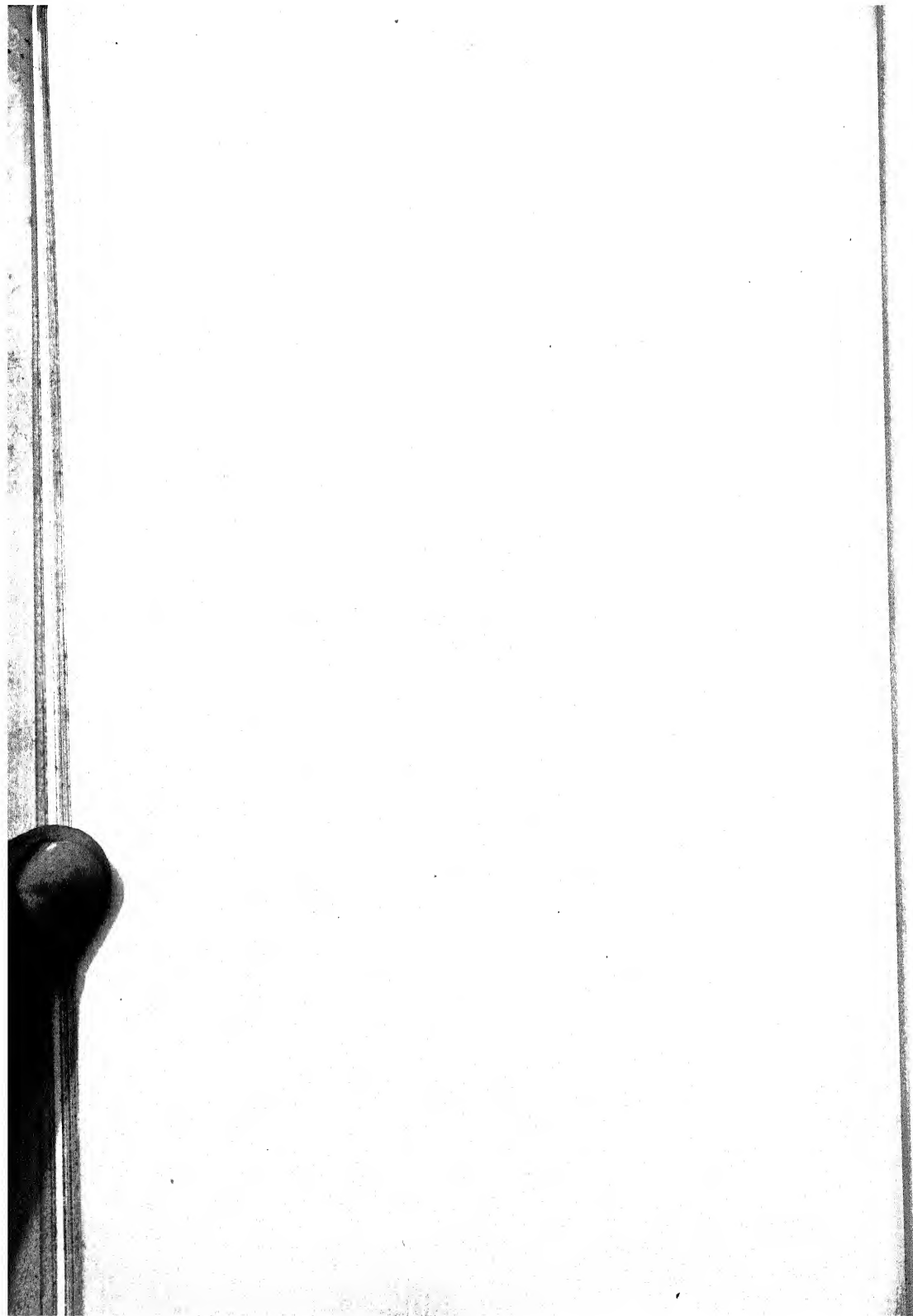
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VOLUME I

The Creation of a
New Occidental Power

1500-1850



Introductory

CHAPTER I

THE BACKGROUND OF AMERICAN DEVELOPMENT

(1) The Expansion of Europe

IN the fifteenth century began a series of world changes out of which grew eventually this enormous new power, the United States of America. A brief survey of the most important of those changes will reveal the significant background against which American history should be seen.

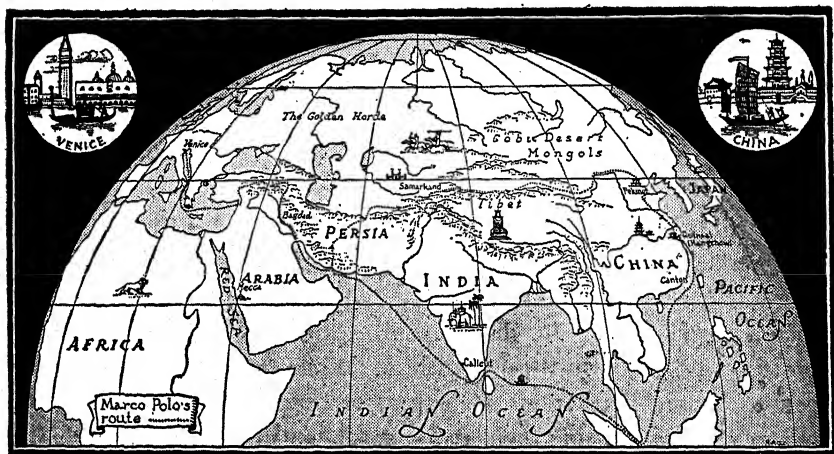
Any series of comparative maps depicting conditions in 1400 and 1900 show, among other astonishing things, that one main group of races, and only one, had steadily expanded during those five hundred years. Certain of the European races had overrun the world and had greatly extended their power. In contrast, the Asiatic races, speaking broadly, did not during those centuries shift their positions nor enlarge their dominion. While the period, for Europeans, was richly, even giddily expansive, for Asiatics it was one of relative stability inside their traditional boundaries.

There was, to be sure, one Asiatic exception. The Turkish nation in 1400 was expanding into European territory. Alone among Asiatics the Turk continued such expansion during several generations after 1400. However, this exceptional instance of Asiatic energy may be thought of as the last flare of another earlier epoch in which the relations of Europe and Asia had been the reverse of what they were in the period 1400-1900.

The seven hundred years before 1400 formed as striking an epoch of Asiatic expansion as the five hundred following formed an epoch of European expansion. In that earlier epoch in two enormous waves—two flood tides, so to speak—powerful Asiatic races burst their boundaries and flowed in torrents over conquered countries. In the eighth, ninth, and tenth centuries Mohammedanism issuing from Arabia swept over Syria, Asia Minor, and Northern Africa—all of which in classic times had been virtually colonized by Euro-

peans—expunged their European civilization and annexed them socially and religiously to Arabia. The conquering Mohammedans even crossed the Straits of Gibraltar and established a brilliant Arabian colony in Spain.

In the twelfth and thirteenth centuries successive streams of Asiatic conquerors poured westward from Tartary and Turkestan. They subjugated Russia and threatened the existence of European civilization. It was the last of these streams of conquest, the Turkish



THE WORLD IN 1300

stream, that in 1400 was menacing Southeast Europe, that continued to expand throughout the fifteenth and part of the sixteenth century. The defeat of the Turks at Lepanto in 1571 was practically the turning point of their power though its recession did not become obvious for two generations more.

But except in Turkey, to repeat, the Asiatic outflow by 1400 had spent its strength. Already in Russia on the one hand and in Spain on the other the tide had turned; European energy was in the flood, Asiatic energy was in the wane. This reversal of attitude was complete. Nothing in the period 1400-1900 is more conspicuous than the universal expansion of the West at the cost of the East.

This European expansion consisted not only in driving back the Asiatics out of Europe, and later in pursuing them into their own countries, but also in taking possession of vast areas which in 1400

lay wholly outside the knowledge of either Europe or Asia. The map of the "known" world of 1400—whether we interpret "known" from the European or the Asiatic point of view—did not include America, nor the islands of the South Seas, nor lower Africa. It was by Europeans that these new lands were discovered, and by Europeans they were colonized. The land area of the "known" world was nearly doubled between 1400 and 1900, and all these vast additional domains, so rich in potential power, were seized by the Europeans.

A significant change in human conditions would be made plain by comparative maps of the density of population, the world over, in 1400 and 1900. In 1400 eastern and southeastern Asia, from China to India, was already densely populated; in western Europe population was but moderately dense; in the undiscovered Americas taken altogether the population was scant. Four hundred years later the dense blocks of Asiatic population had not changed their positions but had become still more dense; the population of western Europe, though still far behind eastern Asia in density, was far greater to the square mile than it had been four hundred years before.

The most significant fact, however, was how the Europeans had disposed themselves while increasing in numbers. From Russia eastward they had spread in a thin layer over northern Asia. From western Europe they had spread over America, Australia, and South Africa, not as thinly as had the Russians over Siberia, but without creating—save for a single exception—any such density as is to be found in Asia or even in western Europe. The exception is the northeastern portion of the United States. This contrast in the mode of population-growth East and West may be summed up by saying that the East has increased intensively, keeping its old positions and developing its blocks of population more and more solidly, while the West has increased extensively, spreading itself over vast areas and becoming relatively more and more dispersed.

Climatic maps show that the Europeans appear to have been fortunate in their seizure of new lands. Theoretically, at least, the physical conditions which suit their heredity and enable them to thrive outside their European homes are to be found among the new lands in upper North America, in lower South America, in

extreme South Africa, in Australia, and in New Zealand. In all these lands European colonization has planted new nations.

All these nations have at least one condition in common. They are, comparatively speaking, frontier nations. Furthermore, all but South Africa are on the border line between two civilizations, the European and the Asiatic. In these thinly inhabited countries the widely ranging Europeans have reached the limit of their expansion and are now facing solid walls of humanity that close the gates against further colonization. The Asiatics, on the other hand, looking out from their ancient boundaries face thinly inhabited regions where Europeans, though in possession, are not so numerous as to make intrusion necessarily disastrous to the intruder, regions that would form tempting baits should the tide in the affairs of men turn completely once again and Asiatics again begin to swarm over the world.

Another contrast in the changed distribution of mankind involves the theories of modern anthropologists, who have charted the earth with a view to determining what parts of it are best suited by nature to the production of human energy. If their conclusions are correct, the Europeans in this respect have a marked advantage over the rest of the world. According to these conclusions there are two areas which, because of their physical conditions, are peculiarly productive of energy. These are western Europe and a portion of North America, including most of the United States and parts of Canada. It is held that in these regions there is just the right balance between variableness of climate and severity of climate, which makes on the one hand for nervous susceptibility, and on the other for endurance and initiative. If these theories are to stand, the Europeans, despite their thinly spread populations, despite the fact that the Asiatics far outnumber them, may nevertheless still be capable of producing energy more abundantly than can the vast masses of the peoples of Asia.

Still another revelation made by the comparative maps concerns European culture. In 1400 it was pent up within its ancient boundaries. Furthermore, it was not expansive. It was receiving influences from without, chiefly from the Arabs, far more freely than it was giving influences forth. The cultural maps of 1900 establish two remarkable facts. The Europeans in overflowing the new areas have carried their culture with them, have not blended it with any

native culture which was there before they came; they have transplanted their institutions bodily, changing them only as climate, or geography, or new conditions of life induced change, not because of the influence of other civilizations.

Furthermore, they have spread their influence, more or less, over all the remaining countries of the world. India, Japan, China, Egypt, Persia—all so little predisposed to European influence—on the cultural map of 1900 must be tinged to some extent with the color of European civilization. In all these nations government, at least in appearance, is more or less European. All of them have accepted European ideas of business organization and business law. In war they use European weapons. There is scarcely an article in the kit of a Chinese soldier that is not a Western invention. In his peaceful pursuits a Japanese or Hindoo merchant uses American typewriters, wears hats and coats designed in Paris, London, or New York, and trusts his life in illness to doctors who have derived their science from the West.

The comparative maps reveal also a revolutionary change in the trade routes of the world. In 1400 one ancient route was still the chief key to European prosperity. It extended from Italy to Southwest Asia with a sort of delta at each end, ramifying one way into all the countries of western Europe, the other way through Alexandria, Damascus, Constantinople, into all the countries of western Asia, and eventually through Persia and Turkestan to India and China. Other routes over Russia and through the Red Sea, though gaining in importance, were supplemental to the main route. No channel of trade extended out of Europe southward or westward. Unexplored distances closed the European commercial horizon south and west as effectually as the Arctic Ocean closed it on the north. Only on the east was Europe open commercially.

Two hundred and fifty years later Europe had become the starting point of a network of new trade routes southward and westward, while the old eastward routes had virtually disappeared from the map. Two hundred and fifty years more, and the trade maps of 1900, while they showed the reappearance of some of the old eastward routes and the opening of another eastward route through northern Asia—the Siberian railway—left no doubt that all these were incidental to the gigantic system of new commerce built up on

the conquest of the Atlantic, and later of the Pacific, by the West Europeans and their offshoots.

Finally, the comparative maps reveal a change in centre of gravity politically and economically among the West Europeans themselves. A map of 1400, showing the relative wealth of nations, with a supplement showing the relative control over commerce, would exhibit a significant difference between the nations facing the Mediterranean and those that faced the Atlantic. The great trade routes to Asia were still the keys to the situation. The nations which formed the western terminals of those routes were the leaders of Europe in wealth and commercial control. The Mediterranean powers—Venice, Genoa, France, Aragon, with high Germany as their economic colony—were all nourished by the trade of the southeast.

In northern Europe a group of city states formed the western terminal of that upper route to the East which extended across Russia. These Hansa towns, as they were called, though not the rivals of Venice and Genoa in power or splendor, were highly prosperous. Just in proportion as the Eastern trade routes grew faint upon the map and at last disappeared, both the Mediterranean powers and the Hansa towns declined in prosperity. The latter sank into insignificance, and of the former, Aragon saved itself by merging into the new power, Spain; France only through having an Atlantic outlook.

While all the eastward-facing powers dwindled into relative decay, the westward-facing powers rose suddenly to great strength. From Portugal to Britain the nations that had the Atlantic as an outlet became the fortunate nations. The new opportunities which opened before these nations, as a consequence of the discovery of America and the exploration of the Pacific, revolutionized the commercial world. It is not fanciful to say that the centre of gravity in European affairs moved outward from the Mediterranean to the Atlantic. The Atlantic powers standing at the heads of the new trade routes to Asia, Africa, and America became the great powers of the world.

(2) The Commercial Revolution

So much by way of general statement of these amazing revolutionary changes which have made the world of 1900 so utterly

different from the world of 1400. Two of them cannot be passed over without more detailed discussion. These are the commercial change and the cultural change.

The trade routes of the world are in a sense its arteries. By means of them, men and women, everywhere, have all the rest of the world in which to seek out a market for their products and a reward for their labor. Today the rug weaver of Samarkand exchanges his labor indirectly against that of the grain grower of Iowa. Also through the perpetual ebb and flow of the streams of commerce, through the constant meeting of diverse thoughts and strange points of view in the minds of numberless traffickers who do the handling of merchandise along those routes, there is created all around the world a subtle, fluctuating pulse of interchanging ideas.

The classic trade route linking Northwest Europe with Southeast Asia was the basis in ancient times of the prosperity of the Roman Empire. It also brought Eastern influence of all sorts into ancient Italy and supplied Rome with luxuries. Along it Western products flowed into Asia, whence in return there flowed into Europe rich streams of silks, gems, sugar, and spice. To the Middle Ages this Eastern trade was even more essential than to Rome. European life had become in many respects hard and bare. European agriculture was backward. In 1400 the diet of almost all Europeans, certainly all northern Europeans, was composed mainly of coarse and heavy food—meat, fish, a few unappetizing vegetables; it was rendered palatable by Oriental spices. If caravans had not plodded across the Persian desert or the plains of Turkestan on the way to Damascus or Constantinople or Moscow, if lumbering Eastern ships had not traversed the Red Sea to supply the market at Alexandria, the German burgher, the French noble, the British merchant would have found his dinner detestable.

The fifteenth century saw a far-reaching increase in mental vigor and commercial energy in the string of Atlantic nations which then formed the European frontier on the west. They were responding, we cannot doubt, to the still more significant cultural change that made Europe over. They were poor. They were conscious of energy. They wanted their place in the sun. They were determined to find it. The way to bring this about was to combine their rising energy



THE WESTERN HEMISPHERE IN 1600

with certain new scientific ideas which were part of the cultural revolution of that time.

Little Portugal led the way. It was not known whether Africa extended to the South Pole. If it did not, there must be a sea road around Africa to India, to all the wealth of Asia. If such a road could be found why might not Portugal become its most favored terminus, become a great commercial power? With a valiant patience, slowly, steadily, the Portuguese pursued their aim. The first school of scientific seamanship was established by Prince Henry the Navigator, brother of King John II, at Sagres, in 1419.

The European sailors had strange superstitions about the unexplored Atlantic—such as the belief that far to the south it became boiling hot—and these were hard to overcome. But it was done. Portuguese navigators felt their way southward, bit by bit; the myth of



SEA-ROUTES, EASTERN HEMISPHERE, 1600

the boiling ocean was exploded; at last, in 1487, the Cape of Good Hope was discovered; eleven years later Vasco da Gama, flying the flag of Portugal, cast anchor in the Indian harbor of Calicut. The all-sea route around Africa to the Orient was thereafter a deadly rival of the old routes by land through western Asia.

By means of this new sea route the fleets of the rising Atlantic powers—Portugal herself, later Spain, France, England, and Holland—were able to tap Asiatic trade at the source, and to deflect it from western Asia and the Mediterranean, thus causing the eventual ruin of the old maritime powers, which had been further weakened by the last stage of the Turkish expansion in the century and a half before Lepanto.

Before Portugal had completed her splendid experiment a rival had entered the field. That little kingdom of Aragon, which had shared

the old Mediterranean prosperity, was now merged with Leon and Castile in the Spanish kingdom which had been founded by the marriage of King Ferdinand of Aragon with Isabella, Queen of Castile and Leon. The Arabians were being slowly driven out of Spain. While Portugal was finding scope for its energies in the conquest of the Atlantic, Ferdinand and Isabella were completing the conquest of Arabic Spain. They were so busy with great political affairs that they were slow to give ear to plans of maritime expansion. The man who after many disappointments induced them to listen was an Italian adventurer whose name is anglicized as Christopher Columbus. He had lived in Portugal but had formed a plan of discovery wholly different from that of the Portuguese.

Among various contributions to scientific knowledge none was quite so important as the new astronomy of which the Florentine, Toscanelli, was the outstanding prophet. He boldly defended the ancient theory of the earth as a sphere. Columbus had become wholly convinced of the truth of this theory. Therefore he proposed to find an all-sea route to India by sailing directly west around the curve of the earth's ball.

The familiar story of Columbus at the court of Ferdinand and Isabella, and of his voyage of discovery, comes so near to being an American folktale that one almost hesitates to repeat it. The Queen was persuaded to assist him, chiefly, because in her religious zeal she looked upon the matter as a missionary enterprise. He was given three small ships, the Nina, the Pinta, and the Santa Maria, the flag ship. His crews soon lost heart. They were terrified by the trade wind blowing them steadily away from Spain. At length a mutiny was planned, and was brought to naught only by the discovery in the water of floating branches and bits of wood signifying the proximity of land; land was sighted on the night of October 11, 1492. The next day Columbus planted the standard of Spain on an island which he called San Salvador—probably Watling Island in the Bahamas.

Thus were made the two great discoveries—the all-sea route that brought India in touch with the Atlantic nations, and the new lands of the Western Hemisphere that Europe was to colonize—which between them wrought political and commercial revolution throughout the world.

Columbus had no suspicion what he had found. His delusion that he had reached Asia was perpetuated in the name by which the natives of these new lands were promptly labelled—"Indian." Subsequent voyages by Columbus failed to correct the delusion, though in 1498 he touched the mainland of South America. Not until 1513 was the truth revealed by the Spanish explorer, Balboa, who crossed the Isthmus of Panama and looked in amazement upon the illimitable expanse of the Pacific. Meanwhile other daring explorers had followed the example of Columbus. England sent out John and Sebastian Cabot (1497-98), who made two voyages along the North American coast, and reported vague discoveries not clearly to be identified.

Amerigo Vespucci, who made a voyage to South America in 1499, published a treatise (1503) *Mundus Novus*, and contrived to give the impression that he had antedated Columbus in discovering the mainland—still reported to be an enormous peninsula from Asia. From his name was coined the word "America," applied at first only to the southern continent, but in time to both Americas. France, only a little behind Spain and England, sent an Italian, Verrazano (1524), upon a voyage along upper North America, from which at the time nothing resulted. By far the most important of the discoverers subsequent to Columbus and Balboa was Magellan. Though a Portuguese, he was in the service of Spain. It was as a Spanish officer that he had set out in 1519 on the first voyage around the world. After passing the straits that now bear his name, he steered northwest across the Pacific and made the Philippine Islands; there the great navigator was killed in a skirmish with natives. His lieutenant, Del Cano, continued the voyage, and in 1522 returned to Spain.

With the main facts of the earth's geography thus established, the Americas became the key to many of the changes which now so rapidly followed. They proved to be reservoirs of wealth through the abundance of their natural resources. As will appear later, their trade became sufficiently valuable to be often the prize of war. As colonization peopled them with Europeans, they produced new markets of great importance.

With regard to the new trade routes the Americas had three distinct relations.

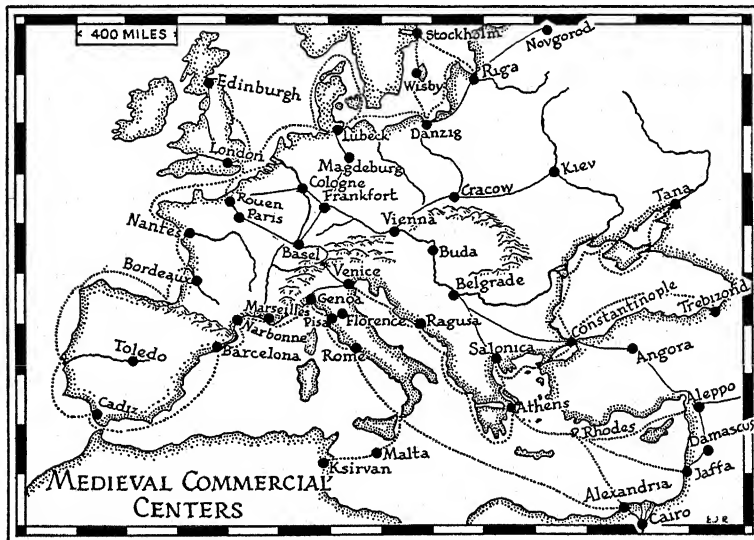
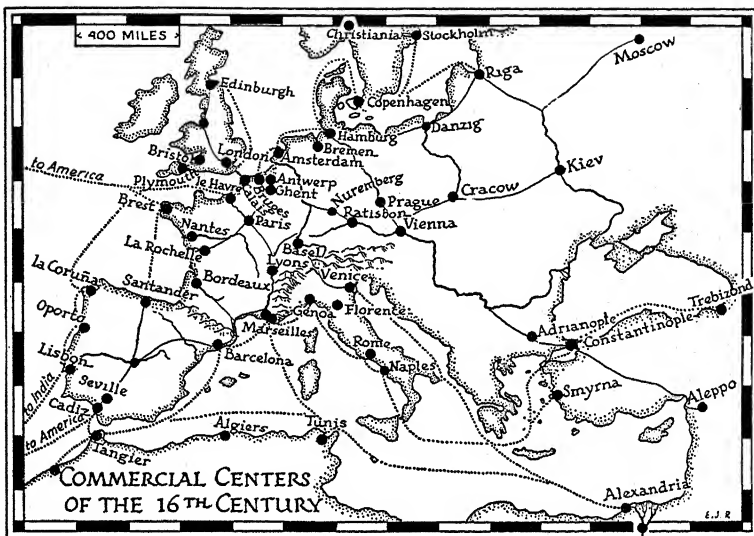
(1) At first, as new markets or new sources of supply, they

instantly became terminals of a number of transatlantic routes.

(2) Inasmuch as they lay between Europe and Asia they were for a time a barrier checking westward trade with Asia and forcing it to continue upon the around-Africa route. To find some sea route to Asia shorter than that around Good Hope, or the still longer route around Cape Horn, became an obsession with European mariners. It produced the delusion of "the northwest passage"—the fixed belief that somehow it must be possible to go northwestward around America by a short route to Asia. Another delusion was the belief that somewhere a passage between the two oceans would be discovered through the American isthmus. This search for a natural waterway that would shorten the route to Asia was at last abandoned, only to be succeeded by the demand for an artificial connection between the Atlantic and the Pacific, the demand which was finally met by the construction of the Panama Canal.

(3) Long before that, North America, lying directly between Europe and Asia, had exchanged its rôle of barrier for the rôle of connecting link. In the history of the development of the routes of the world's trade the American transcontinental railways are among the most conspicuous landmarks. With the building of these gigantic highways the revolution in trade routes which began when the Cape of Good Hope was rounded reached its climax. Parallel with the construction of the American transcontinental roads, has come the restoration of two of the three old routes from Europe eastward. The digging of the Suez Canal restored the Egyptian-Red Sea route. The Siberian Railway restored in a modified form, with a new terminal, the old route eastward across Russia. For a long time there has been intermittent scheming with regard to the third old route, that was once the most important of them all, that crossed Southwest Asia by way of Mesopotamia and Persia from Constantinople to India. Today its restoration is a foregone conclusion.

The opening of the twentieth century is one of the pregnant moments of history. Among its striking peculiarities is the fact that the long process of rearranging the trade routes between East and West has reached practically the final limit of change. These routes are now based on geographical conditions scientifically understood and deliberately utilized. The Mediterranean Period in oc-



cidental history has been eclipsed by the Atlantic Period which threatens to give way to a Pacific Period.

(3) The Cultural Revolution

Obviously this destruction and reconstruction of the whole system of the world's trade forms a complete drama, and would in itself give unity to the period 1400-1900. Equally dramatic is the cycle in the history of culture that extends over this same period.

In the epoch previous to 1400 western Europe developed a remarkable culture of its own which reached a climax in the thirteenth century. It was then that Gothic architecture and Dante's poetry, with other noble achievements, were added to the treasure of the world's art. But that remarkable European culture of the thirteenth century was the product of a period of isolation; it was self-centred; and it lacked science. The world in which lived the great architects and poets of the thirteenth century contained a flat earth bounded by the horizon. In the mediæval lack of science the most profound differences between that day and ours are to be found. The destruction and reconstruction of man's conception of the universe—as complete a drama as the commercial revolution—is a tragic, though also triumphant, episode in the history of thought, and unifies the period 1400-1900 even more significantly than do the changes in conditions of life.

The impulse of the Europeans to expand, which took such strong hold upon them about 1400, was part of a great intellectual movement which included the rediscovery of the value to mankind of scientific knowledge. What we call the Renaissance has been variously accounted for and libraries have been written upon it. That "rebirth" was in part, only in part, the result of recovered consciousness of the European past. In the mediæval period the ancient splendors of European life, the prodigious achievements of the European races in classic times, had been forgotten—or, if not quite forgotten, were remembered as little more than fairy tales. Cæsar to the mediæval imagination was scarcely more real than King Arthur. Virgil—Master Virgil he was called—was in popular fancy a strange far-off wizard of the dawn of the world. Greek science, the Greek understanding of astronomy and of the sphericity of the earth, were but dim traditions.

These confusions were swept away, this ignorance dispelled, by the startling changes that began about 1400. The returning wave of energy, mental as well as physical, carried the Europeans into speculative pursuits no less than into war and trade. The double result was the finding out how great their ancestors had been, and realizing the vastness of the physical universe. The ancient learning was swiftly recovered. Long before the end of the fifteenth century, Toscanelli, the Florentine astronomer, had calculated the size of the earth and had come astonishingly near to correct conclusions.

The chief marvel of that wonderful fifteenth century is the boldness and the ardor with which the European mind broke loose from its traditions and plunged enthusiastically into new modes of adventure. This was as true of its thoughts as of its actions. Its mental expansiveness continued to be the prime factor of all its history through the period of 1400-1900. One after another new sciences were discovered or old sciences were transformed. Astronomy, geography, and navigation, in the fifteenth and sixteenth centuries; medicine, economics, and philosophy in the sixteenth and seventeenth centuries; many forms of applied science in the eighteenth century: toward the close of that century, the new chemistry; followed in the nineteenth century by the new physics, and at last biology—these are but the sign posts of a total transformation of all our thoughts about the universe and of man's place among the forces of nature.

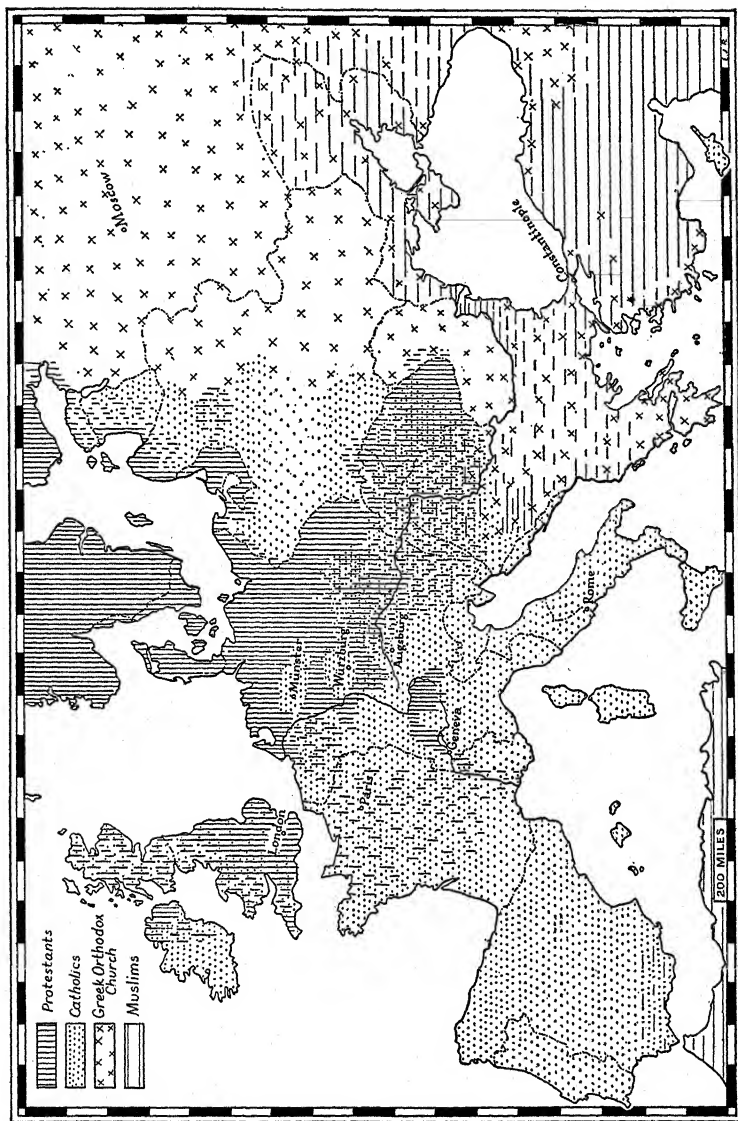
Applied science ran a corresponding course of all but incredible change. Invention became the order of the day. The period 1400-1900 opened with a fresh zeal to perfect navigation. However, the art of tacking against the wind, the foundation of the seamanship of the period 1400-1900, was very crudely understood when the period began. An English sailor, now all but forgotten, a certain Fletcher called "of Rye," is generally credited with having invented, or at least perfected, early in the sixteenth century this crucial art of the sea. Naval and military tactics underwent equally sweeping changes. Until the sea fights of the sixteenth century, a naval battle was in conception merely a land fight on the decks of ships. The English made a revolutionary innovation by beginning to think of the ship itself as a weapon, of a naval battle as a chess game in which the ships, not the armed forces aboard them, were

the pieces. About the same time gunpowder revolutionized all branches of the art of war.

To enumerate the inventions that have transformed the conditions of peaceful life would necessitate an extensive catalogue. Though the printing press came into use in the fifteenth century, the stream of inventions did not become abundant until the new science and the new conditions of life between them began to have far-reaching effects. The full flood of invention dates from the eighteenth century. One need but mention the steam engine, the steam boat, the locomotive, the power loom, the rifled cannon, the screw propeller, the telegraph, the telephone, television, the electric and gasoline motors, the submarine, the airplane, the radio.

The cultural changes included also new theories of the relationship between man and those unseen forces which we denominate the spiritual world. The religious ideas which in 1400 were taken for granted in western Europe have all been subjected to criticism, and out of this criticism, controversies of the first magnitude have derived. The preceding age had been characterized by religious uniformity; the period of 1400-1900 was an age of religious diversification. In 1400 all western Europe was contained within the fold of one form of Christianity, the Latin form, organized as the Roman Catholic Church. In 1900, in the one country of the United States, there were 130 recognized religious denominations. In 1400 confessed non-Christians, with the exception of a few Jews, were almost unknown among western Europeans; while in 1900, in every European country and every European colony, a large proportion of the population was frankly non-Christian, professing either some other religion or no religion at all.

A profound consequence of the great cultural change was revealed in the field of government. Practically all Europe in 1400 had settled down to a pretty severe type of monarchical or aristocratic government. The northern nations and the Italian city states had free traditions, it is true, but these traditions in the north had become relatively vague, while in the south they were breaking down into various forms of despotism. The new energy pervaded the field of government at the same time that it pervaded thought and commerce. The Protestant Reformation in the sixteenth century was, among other things, a demand for more popu-



THE RELIGIONS OF EUROPE IN 1600

lar control of religious institutions. As we shall see later, the commercial energy of the new day picked up old instincts in the northern peoples and gave them new expression through the development of the corporate company, which is a little republic of stockholders for the transaction of business.

Though in the seventeenth century a powerful reaction put a new emphasis upon monarchy, a more distinctive tendency was the rising insistence throughout the seventeenth and eighteenth centuries upon the right of the governed to take part in the making of laws. In the seventeenth century England made a brief experiment as a republic; the illustrious Dutch Republic became an accomplished fact; and various English colonies in North America set up forms of government virtually republican. The eighteenth century witnessed a world-wide duel between the two principles; heard enunciated startling new theories of political science; witnessed the volcanic outburst of the French Revolution; and cleared the way for the actual democratization of the world in the century just closed.

Back of all these revolutions lies the immeasurable change in organized philosophy that has transformed the basal ideas of all the Western world. The conception of the universe held by any time or nation reacts subtly, formatively, on all the individuals whose lives are governed by it. The great mediævals based their thought upon theology and had not formed the idea which the moderns label "science." The former thinkers conceived of a world definitely governed by a beneficent God with human life, here or hereafter, as the chief element in reckoning its significance. The typical modern scientist would have us conceive of a vast something called space, limitless and measureless, in which inconceivably numerous quantities—called by various names: electrons, atoms, solar systems, galaxies—form themselves into patterns in obedience to mathematical laws.

This modern "scientific" concept produces, in turn, the modern meaning of the word "nature." The Ancient and the Mediæval thought of "nature"—*natura*, in Latin—as the inherent character of a thing or a person, as that which makes it what it is. We retain this use of the word and apply it rather loosely, as when we say that it is the nature of a man to do this or that. But this usage is overshadowed by another, more distinctively modern, which employs the word to

indicate a vast creative force, neither man nor God, which envelops itself in the manifestations of a physical "universe," and is governed by laws which may or may not (according to the views of the individual philosopher) be the same as those which govern humanity. Some of the most distinguished modern thinkers speak of this terrible creative power as the enemy of mankind. Tennyson, for example, crying out against "nature red in tooth and claw." And Matthew Arnold, in perhaps his most famous sonnet,

"Nature and man can never be fast friends,
Man must begin where nature has left off."

A long series of scientific philosophers, beginning with Descartes and extending to Einstein, have developed the modern concept of "nature" and of the physical "universe" of mathematical law. The train of counter-thought exemplified in Tennyson and Arnold has gradually built up the concept of "human nature" as an existence in itself, parallel with "nature" but not necessarily governed by the same laws. Attempts have been made to merge the two concepts and to think about "human nature" in the same modes that are used by the philosophers of "nature." More typical, it would seem, has been the effort to separate the two, regarding each as mysteriously and inexplicably different from the other.

Such thinking is one form of what philosophers know as dualism. Some ancient systems of thought began with two principles, Good and Evil, or God and Satan, and made no attempt to account for their existence, but were content to develop their various activities and significances. Obviously, the modern separation of "nature" and "human nature" is not an exact parallel. But it is dualistic inasmuch as it recognizes two profoundly different spheres of thought and does not attempt to trace them to a common origin. Nothing could be a more sweeping departure from the thought of the Middle Age, when the universe was God's household, created by His fiat and inhabited by His children. Even Tennyson with his desperate faith that, somehow, in defiance of appearance, there must be—

"One far off divine event
To which the whole creation moves,"—

even he fears Nature as his ancestors feared the devil.

what about us?

Thus the period since Descartes has been divided against itself intellectually as few periods ever have been. It is not strange, therefore, that there have come into existence so many and such varied attempts to find a new philosophy of human life; to discover new forms of religion harmonious with so tormented an age; to build up systems of social order that shall offer to all phases of thought congenial asylums. Any commonwealth formed in this period of restless thinking would be pretty sure to embody in itself a leaven of disillusion, an element of the discordant, and to differ in that measure from the serene and self-sufficient commonwealths of the past when conformity and accepted standards were the order of the day.

(4) Problems of Modern Law

At least one more subject must be recognized among the prime factors of the cultural revolution. In this case the use of the word "revolution" is approximate, but no other single word is more serviceable. "One of the best tests of the quality of the civilization of any given people at any given time," says Professor Preserved Smith, "is the code of laws enacted and enforced." The legal history of the period of the European expansion is ordinarily regarded as a special subject too intricate and too difficult to be safely interwoven into the general story. Perhaps that is so. But a few salient facts are not to be ignored, even in the briefest review of the time.

Without pausing on the origins of the law codes of say, 1500, we should observe that all were permeated, or at least strongly tinged, with ideas of brutality. Every code in the Western world included torture. Not until 1570 did valiant little Holland, in the codification of her criminal law, prohibit torture as a means of extorting confessions of guilt. Other nations gradually followed her lead. The Massachusetts law code of 1641 forbade torture except when the accused had confessed his guilt, and then only to compel him to betray his accomplices. After having been ejected, as men believed, from Western thought, torture was revived in the United States in the dark days following our Civil War. It came back in psychological form in the practice known as "the third degree," which consists in break-

ing down the nervous resistance of the accused and suggesting self-accusation as an escape from intolerable nervous tension.

Closely allied to torture is barbarity of punishment. It would be impossible to imagine events more sickening than the delight of the watching crowd while the assassin of Henry IV of France was torn limb from limb, or than a similar scene in England, in Elizabeth's reign, when an old man accused of treason had his bowels torn out by the executioner while he still lived. Such atrocities were so common that an effort to mitigate them proceeded slowly. Its eventual triumph is reflected in the Eighth Amendment to the Constitution of the United States which forbids the infliction of "cruel and unusual punishments."

Of the way in which conceptions of law have fluctuated and changed form, following the predominance of particular classes, or the temporary influence of particular beliefs, it is obviously impossible to treat in a general survey. But two more considerations are here in point.

When the period opened there was a general assumption that the government, whether civil or religious, should exercise extensive authority over the details of the moral life. The dying monarchy of the Popes, in 1564, contributed a famous monument to this phase of law by granting a charter to the Society of the Most Holy Name, which was designed to abolish profane swearing. Blasphemy came to be punished in Spain by ten years of penal servitude, and in France even by death. Scotland followed roughly the Continental example, while the English commonwealth, 1650, punished such offences by heavy fines. Sabbath breaking was denounced by councils of the Church in the sixteenth century, and before the century closed a famous Anglican divine, Lancelot Andrews, began the doctrinal movement which was taken up by the Puritans and ended in the complete identification of Sunday with the Hebrew Sabbath. New England, in many respects the last refuge of Puritanism, became the final stronghold of Sabbatarianism.

Slowly the pendulum of accepted custom has swung back to the conception of Sunday as, in part at least, a day of recreation. As late as a hundred years ago the symphony concerts which are now given each Sunday in New York and other great cities and broadcast over the radio, would have been regarded as Sabbath desecrations;

they would have been frowned upon by the intellectual descendants of those Englishmen who in 1625, in Parliament, enacted that no public entertainments on Sunday should be permitted because "the holy keeping of the Lord's day is a principal part of the true service of God."

A matter of chief importance in this long fluctuating warfare of legal ideas is freedom of speech. The invention of printing caused an anxious increase in the attention given by established authority to the problem of suppressing revolutionary ideas. Its most effective weapon was the practice of forbidding the publication of books not duly licensed by the government and restricting the circulation of foreign books. Beginning with an edict of the Archbishop of Mainz, in 1485, this practice was developed by the Papacy, which established its *Index of Prohibited Books*; by the influence of the Inquisition; by rigid censorship enforced by the Spanish and French monarchies, and by the English commonwealth.

For English-speaking people the central fact of this long and furious controversy is the publication of one of our supreme classics, Milton's *Areopagitica: A Speech for the Liberty of Unlicensed Printing*. But this great book did not win its fight. Both Puritans and Royalists continued the censorship of the press, which was equivalent to a powerful curb upon the freedom of speech. Milton's successors in the battle against censorship—John Locke, William Penn, Algernon Sidney, and others—were at length successful. A hundred and forty years lie between the *Areopagitica* and the First Amendment to the Constitution of the United States with its pronouncement, "Congress shall make no law . . . abridging the freedom of speech, or of the press." How faithful Americans have been to this provision is a question of our own internal history.

More significant than any of these specific changes in codes of law is a deep-seated conflict between the basic ideas of two historic legal systems, the Roman law and the Common Law of England, sometimes spoken of today as Anglo-American Law. Lawyers have sometimes said that the true reflection of the legal mind of the Roman people is to be found in a court of arbitration, the Court of the Prætor Peregrinus, which settled disputes among foreigners who were not covered by the law of Rome. The Prætor, in such settlements, having no definite law to direct him, revealed the gen-

eral Roman conception of justice more baldly and perhaps more subtly than it was revealed in statutes. However, the Roman Law as known and practised in the fifteenth century was the product of a long blending of ideas, and had received its final color from the great lawyers and rulers of Constantinople. The famous *Code* prepared at command of the Emperor Justinian and the elaborate notes appended to it had, before 1500, pretty much dominated the legal thought of the Continental nations and quite dominated the legal thought of the Church.

England, on the other hand, had built up a system of legal ideas of her own. Though many conceptions of the Roman Law, especially with regard to the conduct of business—for example, the right to charge interest, which at one time was regarded as unchristian—had made their way into the English mind, it is none the less true that the Common Law in its entirety is a non-Roman product. It derived from the immemorial customs and traditions of the Teutonic races, from the working out of these in the feudal system, and from the genius of the English people, perhaps we should say, the Anglo-Norman people.

To sum up in a paragraph the fundamental differences of these systems is, of course, impossible. Something will be said upon the deepest tendency, the creative flexibility, of the Common Law, later in this book. To form an impression of how deep and how significant is the irreconcilability of the two systems, one should read such a masterly brief treatise as *The Common Law* by that great legal thinker, Justice Holmes, formerly of the Supreme Court, or the still briefer but very luminous exposition of *The Spirit of the Common Law* by another of America's most eminent lawyers, Dean Pound of the Harvard Law School. Both these essays, though relatively brief, make plain the divergent tendencies of two legal systems that have silently battled together in the modern world.

Out of this intellectual conflict have come many profound disagreements, some of which are of first importance as we advance into the new historical epoch that is now beginning. Does law exist primarily to protect property or to safeguard human life? Is it, first of all, a device for regulating the course of affairs, or is its true function creative, the bringing into existence of newer and better conditions? Should we think, legally, in terms of immutable

specified agreements for the exchange of defined services against defined compensations, or should we think in terms of ideas of relationship, based on ethical conceptions, with the practice of the relation governed by a general idea of what the relation ought to be: that is, when a workman sells his labor to an employer, is it a definite final action like the selling of a bushel of wheat, or is it the entrance into a relation essentially ethical?

Is it a case of Shylock and the pound of flesh, or is it something much more subtle and much more elastic? In our legal thought, should we be at one with the mathematical philosophers, or should we join the humanists? If a workman undertakes to perform a dangerous task are we to say that he is a free agent who assumes the danger with his eyes open, and that he alone must bear the consequences, or shall we say that the relation involved is one which morally requires a co-operative attitude and the sharing of the consequences by both parties? The former reasoning would condemn a form of law much discussed in recent years and typified by Employer's Liability Acts while the latter would justify them.

Philosophy has been drawn into the debate. Such great names as Kant and Hegel appear among philosophers who have preached that the end of law is to protect the freedom of the will, and therefore that the less an individual is hampered, consistently with the existence of society, the more admirable is the system of law under which he lives. At the other extreme are the philosophers of communism who hold that the individual has no rights as against society, and that law has no concern with the freedom of the will—they dismiss the idea as "mere" metaphysics—but only with the physical well-being of the community. A third ground—not exactly a middle ground—is occupied by the philosophers of the Common Law who would assert with Justice Holmes: "The law embodies the story of a nation's development through many centuries, and it cannot be dealt with as if it contained only the axioms and corollaries of a book of mathematics. In order to know what it is we must know what has been, and what it tends to become. We must alternately consult history and existing theories of legislation. But the most difficult labor will be to understand the combination of the two into new products at every stage."

(5) America's Relation to World History

To sum up this review of the half millennium during which the United States was born, grew to maturity, and took its place among the great powers—

The period began with a group of isolated, self-centred, highly talented but wholly unscientific European nations that had fought Asia during many centuries, but generally with the odds on the Asiatic side. It closed with these same nations extended over enormous areas discovered during this period, and with the Europeans so changed in thought, in commercial relations, in government, as to make it hard to realize that they were the true descendants of their ancestors of 1400. A final detail must be added. The last condition which rounds out the period 1400–1900 and brings it to a full stop, is a change that has recently taken place in the Orient. The nations that were stationary and inert during the half millennium have recently begun to show unmistakable signs of an awakening. The unavoidable question arises: Will tomorrow behold a ferment among the Eastern nations, a ferment of returning energy not unlike the one which began among the Western nations in the fifteenth century?

Incomparably the most significant thing in the history of the American Republic is the fact that it was conceived and developed in this age of unprecedented change. It was planted in that part of North America which was more friendly climatically to the West Europeans than was any other part of the new lands. Its territory lay right athwart the course of the most important lines of the new commercial expansion, first as the separating barrier, later as the connecting link, between the dense populations of Europe and Asia. Being easily accessible to the nations of northern Europe it has drawn its populations chiefly from those sources.

As the northern nations were the ones where republican tendencies were strongest throughout the half millennium, America, the receptacle of emigration from the north, was inevitably the field where all the radical thought of those nations would certainly grow and come to flower. Because of the comparative thinness of its population all its people were given the maximum opportunity to shift their positions and alter their conditions of life, with the result that they

developed to an extraordinary degree the typical virtues of the frontier nations—courage, self-assertion, endurance, initiative. Being typical products of the age of invention, they have developed a resourcefulness in the application of science to the needs of life seldom equalled and never surpassed. Most significant of all, these people that have become a separate nation during Europe's most creative epoch have somehow turned that creative energy in upon themselves, used it in some instinctive way to transform themselves, and at last, we know not how, have created a new European race, something different from any of the peoples from which its elements have been drawn—the American.

BIBLIOGRAPHY

GENERAL READING.—This subject is so extensive that it might easily involve the whole range of a considerable library. For any one who wishes to enlarge the survey given in the text, or to pursue some particular topic, perhaps the best course would be to take two books as foundations making free use of their admirable bibliographies: *The Political and Cultural History of Modern Europe* (revised edition) by C. J. H. Hayes and *A History of Modern Culture* by Preserved Smith. They might be supplemented by *The Making of the Modern Mind* by J. H. Randall. There is no one history of European philosophy that is wholly satisfactory. The subject must be pursued, if at all, in special treatises and in the lives of philosophers—Descartes, Spinoza, Newton, etc. Though the natural sciences are better off in the way of comprehensive reviews they also must be traced through special topics. The bibliographies of Hayes and Smith will open many lines of approach. In political theory these bibliographies may be supplemented by the admirable works of the late Professor Dunning, *Political Theories from Luther to Montesquieu* and *Political Theories from Rousseau to Spencer*. No English-speaking person has a valid excuse for being ignorant of that great classic, the *Areopagitica*. For special works on world relations no guide can be more useful than Hayes. The nearest we have to a general compendium is the *Cambridge Modern History*, valuable but unequal, and important for bibliography. As for the numerous general books which of late years have attempted to gather all the currents of our civilization in a single cataract of miscellaneous information, the less said the better.

Foundations

1500-1692

BASIS OF CHAPTERS II-IV

The Renaissance opened a period of European expansion in which all the aspects of European life were changed; likewise the relations of Europe to the rest of the world and of the European nations to each other. Previous to the fifteenth century, the Mediterranean nations and their trade routes with Asia were the prime factors in European polity. The discoveries of the fifteenth century, which added the Americas to the "known" world and opened new trade routes to Asia, shifted the centre of gravity politically and commercially from the Mediterranean to the Atlantic. All the westward-facing nations sought colonies in America.

In the course of two hundred years following the discovery of America two great events took place. Spain after a brief period of imperial grandeur sank into relative weakness; her American dominions ceased to expand, and she became in the colonial field a stationary power. Her turning point was the defeat of the Armada in 1588.

In contrast, both France and England entered on their great careers as colonizing powers. England, in America, effaced both Holland and Sweden, and by the close of the seventeenth century had possession of the Atlantic coast from present Maine almost to present Georgia. France had begun her settlements near the mouth of the St. Lawrence, had pushed up the river to the Lakes, and from the Lakes down the Mississippi to the Gulf of Mexico.

English America and French America formed communities widely unlike. The former was a region of actual settlement; the latter very largely a mere network of trade routes. The English and the French were rivals from the beginning in the fur trade of the northwestern Indians.

The modes of living transplanted from Europe to the colonies were reflections of the two home powers. The French were absolutists in government and Roman Catholics in religion. The society which they developed in the New World was essentially feudal. It had no republican features, no representative government. The English, on the other hand, brought over political and commercial practices that were based upon individual freedom. Their traditions included many privileges imbedded in the common law of England; they had also perfected the commercial stock company in which majority rule had become an accepted habit.

In the course of the seventeenth century, while New France became homogeneous under royal control, English America developed many local peculiarities. The various colonies were settled chiefly through individual initiative and were frequently asylums for people of a particular creed or particular political party. The party troubles in England led Parliamentarians to settle by themselves in New England; King's Men to settle by themselves

in Virginia. Royal charters promised them vaguely the same rights which would have been theirs if they had remained in England. But not until 1681 did any charter specify what was their legal relation either with the King or with the English Parliament. By implication the earlier charters made the King the feudal lord of all the colonies but said nothing about Parliament. In 1681, the charter of Pennsylvania implied that Parliament could tax the colony.

The right to tax themselves was one of the cherished traditions of colonial as well as British Englishmen. Also, in a general way, they insisted on the right to manage their own affairs through an elected assembly. At various times during the seventeenth century one colony or another hotly insisted on its rights while the King attempted to curtail them.

Meanwhile a system of economic restriction was gradually embodied in the regulations called the Navigation Acts. These Acts, together with the despotic measures of King James II, brought the colonies to the point of rebellion and made them enthusiastic partisans of King William III in the Revolution of 1688.

Chronology:

- 1300-1500. Great changes in European trade routes.
- 1460. Diaz discovers Cape of Good Hope.
- 1492. Columbus discovers America.
- 1497. Discoveries by the Cabots under the English flag.
- 1519-1522. First circumnavigation of the Globe.
- 1535. Cartier discovers the St. Lawrence.
- 1541. De Soto discovers the Mississippi.
- 1579. Drake in California.
- 1585. First Roanoke settlement.
- 1588. Defeat of the Invincible Armada.
- 1600. France begins colonization at Tadousac.
- First Virginia charter.
- 1607. Unsuccessful English settlement on the Kennebec.
- Jamestown founded.
- 1608. Quebec founded.
- 1609. Second Virginia charter establishes representative government.
- 1620. Plymouth settled: practically a republic.
- 1623. The Dutch found New Amsterdam.
- 1630. The "Great Migration" of Puritans.
- 1632. Maryland founded: completely feudal colony.
- 1634. Boston in arms against the King.
- 1635. Roger Williams expelled from Massachusetts.
- 1643. United Colonies of New England formed.
- 1660. First Navigation Act.
- 1662. Connecticut granted self government.
- 1663. Carolina added to colonial domain.
- 1664. New Amsterdam seized by the English.
- 1681. Charter of Pennsylvania.
- 1682. La Salle explores Louisiana.
- 1683. Charter of Liberties in New York.
- 1686. Andros sets up despotism in New England.
- 1688. Fall of James II.
- 1696. William III reorganizes the empire.

CHAPTER II

APPROPRIATING THE NEW WORLD

(1) The Final European Migration

It is a truism that the European races—as we now call the northern Caucasians—have moved westward from their original Asiatic home in at least three great migratory advances.¹ The earliest, shrouded in the mists of prehistoric time, is little more than an inference. But it planted in Europe the powerful newcomers, centuries before Christ; perhaps it blended them with native races; certainly it distributed them—Greeks, Latins, Celts, Teutons, Slavs—over the face of Europe in ways that enabled them to take root in soils that became their own. The second migration was a re-shifting of these nations in the period which was once called the Dark Ages and their firmer planting in the regions which they still occupy. A long pause—that grim defensive period which preceded the explosion of energy in the fifteenth century—was followed by an outflow of Europeans into the Western Hemisphere that is one of the astounding events of history.

It has not altogether ceased. But in one respect, at least, it has reached its limit. When the Europeans, on the western margin of America, looked out across the Pacific toward Asia they had come to the end of their wanderings. It was not the great ocean that said to them, "Thus far, no farther." The sea is, for civilized man, the most open means of expansion. What drew the line which was the limit of the European advance on their westward march was that human wall which stood beyond the Pacific, which made Asia below Siberia an undesirable field for European colonization. From Central Asia to California and Oregon the ancestors of the present Americans had pursued their irresistible advance westward, century by century, country by country, but in all probability they were never

¹ This may still be considered the accepted view, though some anthropologists have recently advanced a theory that the original seat of the Caucasians was south of the Mediterranean.

again to play the rôle of the colonizing invader. Thereafter, in a social way, their rôle was to be that of the organizer. They were to consolidate rather than expand.

Chronologically, a readjustment of the Europeans to the soil of North America which dates from 1848, when the Anglo-Saxon took possession of the better part of the Pacific Coast, is a turning point of first importance. The folk movements subsequent to 1848—the massing of Anglo-Saxons in our West, the absorption by the American commonwealth of the later comers from Europe, the establishment of a permanent frontier along the Pacific—will be dealt with later in this history. The present volume is concerned, so far as geography and migration are in point, with the social explanation of the western movement from European tidewater to western American tidewater; with the physical explanation of the paths of migration—the paths used in the epical *trek* of the Anglo-Saxons—from the Thames and the Severn, across an ocean, across a continent, to the littoral of Los Angeles, to San Francisco Bay, to the valley of the Columbia.

Naturally, the question arises in all our minds, why did the Europeans as peoples—not merely as armies or servitors at the bidding of princes—advance into the West? There were general motives that applied more or less to all the nations that attempted to colonize America. Spaniards, Frenchmen, Englishmen, Dutchmen, Swedes—all the nations that were colonizers previous to 1650—had at least two motives in common. They were seeking their fortunes and they were fired with that passion of adventure which was a fixed characteristic of the Renaissance. Even from the beginning some of them had also a religious motive, and this motive became more conspicuous as time passed. Definitely political motives also appeared, as in the migration of English Parliamentarians in the days of the early Stuarts, and the reverse process, the migration of Royalists when the English commonwealth had sent Charles Stuart to the block. Speaking generally—not yet of the English colonies in particular—we may safely stress three impelling motives apparent everywhere and at all times in the expansion of Europe into America.

(1) What we have come to call imperialism, or imperialistic expansion, led the great powers of that day to reach out and seize

as much of the New World as they could. A sound instinct of statecraft sensed America as the treasure house of the future. Later it was to appear to individual Europeans as the end of the rainbow. To governments in the sixteenth century it revealed itself instantaneously as a vast new reservoir of possible international power and domestic prosperity.

(2) A commercial motive went hand in hand with this imperial motive and might almost be said, metaphorically, to be the other side of the same coin. To seize the potentialities of the New World as an eventual market, or as a source of raw materials, became at once a colonizing motive in the minds of merchants and economists, especially in the thought of that school of economists, of which we shall hear later, the Mercantilists. With all this went a desire for the increase of private fortunes which was entangled in the commercial motive as the commercial motive was entangled in the imperial one. When a needy Spanish nobleman received a largess of the King, in the way of bountiful land grants in South America, it would be hard for the most subtle novelist to disentangle the various threads of motive that altogether made up the web of his mind and enmeshed him voluntarily in permanent exile—the conquering ambition, the love of gain, the joy of adventure. Just the same may be said of a minor French noble who, long afterward, became a landed seigneur in Canada. The same might be said of some great promoters in England.

(3) The third universal motive was temperamental. The sixteenth century inhaled audacity. The same impulse that made the man of thought devote himself to the discovery of new ideas, made the man of action eager for new experience. Perhaps no other century has produced so many wild and furious men, born in nations that were accounted civilized. The extreme instances are the wonder of later time. Stopping short of the extremes—of the rebels, the pirates, the freebooters—the more familiar figures—Spanish *conquistadors*, Elizabethan “sea dogs”—took the gambler’s chance in personal hazard for its own sake.

There were also in this great sweep of Western expansion some purely idealistic motives, mainly of two sorts: a genuine missionary fervor, and a desire to find a religious asylum. Of the first sort were all the undertakings of Spanish and French priests, designed

to convert the Indians. Of the second were numerous movements of escape—especially in the English colonies—that sought to find security of worship in new communities of their own creation.

Passing from the general perspective of colonization to the particular case of the English colonies, we may recognize three stages. They correspond roughly to the three centuries, sixteenth, seventeenth, and eighteenth.

It is desirable, therefore, to form a mental picture—or at least a mental sketch—of the panorama of English life in the period just previous to the era of active colonization. Curiously enough, the age of the great discoveries—the sixteenth century with its prologue, the last quarter of the fifteenth—was the time in which mediæval England began its transformation into modern England. The old feudal nobility, based altogether on land holding and military service, was broken down; a new nobility, based chiefly on money and royal favor, succeeded to its power, bought up its lands, married its daughters, and revolutionized the social world it had upheld. Among the many changes introduced by the new landlords was the encouragement of sheep raising at the cost of agriculture. Rents were increased; tenant farmers, in distress for money, were evicted; the “commons”—open land which had once been used in common by all the inhabitants of the feudal village—were enclosed by the new proprietor, who had obtained the village either through purchase or by royal grant, and were used by him for his own profit.

All these evils were resolutely resisted by the great Tudor sovereigns, especially Queen Elizabeth, and when Elizabeth died, in 1603, they appeared to have been checked. Enclosures had been forbidden by law; the strong hand of the Crown had undertaken to regulate both prices and wages; the famous Poor Laws of Elizabeth had made the government the protector of the unfortunate. England seemed to be prosperous. Nevertheless, discontent had not disappeared. It went hand in hand with the imaginative and intellectual ferment of that great day, making England a restless country, a huge dynamo of outflowing energy.

In the latter part of the sixteenth century—the time that produced Shakespeare, when Elizabeth was in her glory—the men who were the significant factors in the English dynamo were all possessed by that same fury of adventure which was the temperamental char-

acteristic of the whole age of the discoveries. These men were imperialists—in our modern phrase—who were infatuated with the desire to make England a great power and to humble Spain. Their attempts to colonize rested on direct authorization from the Crown; all were due to the dreaming of great individuals; and all were unsuccessful.

The next century saw the firm establishment of those powerful commercial companies that were destined in some instances to expand into commonwealths. The history both of Virginia and New England began with the organization of companies. But the motives behind the companies were different. The Virginia Company had at first a purely commercial motive; the Massachusetts Company a religious one. However, in each case, the need of population in order to keep the colony going caused the promoters to turn to those groups in England that were ripe for emigration.

And this brings us to the basic question, the state of English society in the seventeenth century. We have come now to the time in which the three general motives are not sufficient to account for colonization. At least three more must be given equal rank. All of them are motives of escape. They are the religious, the political, and—in the plain every-day sense of an abused term—the economic.

The religious motive among colonizing Englishmen has been so much exploited that we may almost take it for granted. Official England in the first half of the seventeenth century endeavored vainly to check the drift toward Puritanism which followed so quickly in the wake of the Reformation. It was to escape from Stuart conformity that many Englishmen who demanded ecclesiastical freedom turned their faces westward with the colonial results discussed in Chapter III. The idea that there was room in America for every one inspired the attempt of Roman Catholics to found a state in Maryland. Later in the century, Huguenots, Quakers, various other distressed dissenters, saw in America their land of escape.

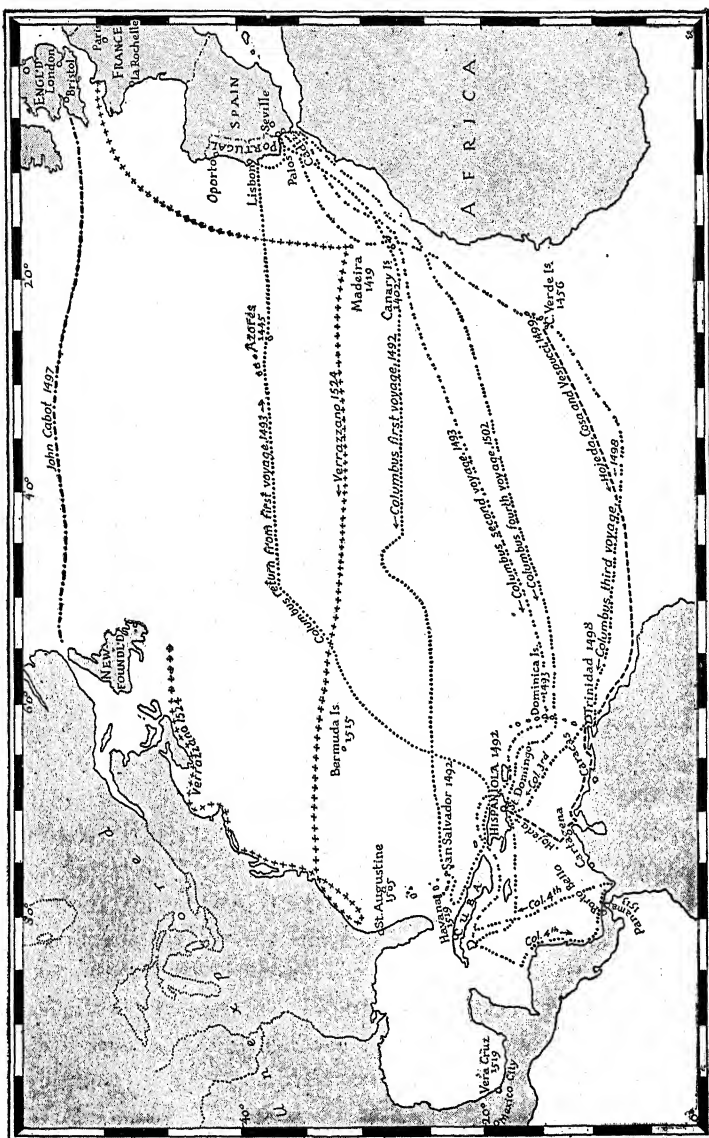
The political motive was enwoven with the religious, sometimes too closely to be entirely separated. When monarchical Anglicans, after England had become a republic, fled to Virginia, it would be hard to say whether they were moved first of all because the new masters of the home state were the enemies of monarchy, or because

the new masters were Puritans. William Penn, in setting up his colony of Pennsylvania, desired ardently to form a refuge for Quakers, but also desired to found a commonwealth substantially republican. On the whole, it is probably safe to conclude that the political motive in the minds of the colonists was less significant than either the religious or the economic.

The latter, in the seventeenth and also in the eighteenth centuries, bulked large both in the vision of English statesmen and English emigrants. The mercantile theory of political economy set an exaggerated value on the possession by a nation of gold and silver. Therefore, the Spanish success in extracting the precious metals from America, joined with the crude notion that all America, North and South, was the same sort of thing, created a zeal among politicians to acquire for England the mining lands supposed to exist everywhere beyond the Atlantic.

Furthermore, England was running short in the natural supplies which she needed most. Her consumption of fish and of spices was very large; foreigners brought her a great proportion of her fish and all her spices. Her naval stores—lumber, pitch, tar, hemp—came chiefly from the Baltic countries. A colonial empire, part of which should be tropical, might abolish this dependence on foreigners and provide all these necessities from lands over which flew the flag of England. Hence, the desire to acquire the West Indies and central and southeastern North America.

England's statesmen were also troubled by a sort of discontent that was neither religious nor political. In the early part of the seventeenth century the kingdom appeared to the men of that time to be over-populated. Agriculture, despite the brave efforts of the Tudor sovereigns, was in a bad way. English manufacturing was sorely in need of outside markets. Unemployment was dangerously recurrent. And many people, both in town and country, who continued to keep their heads above water—small land owners, farm employees, small merchants, hard-working artisans—felt the pinch of hard times. For all such, a new start might be found in the colonies. Individuals saw their opportunity and the statesmen encouraged them to make the most of it. The statesmen craftily saw another use for new colonial communities. The criminal class of the home country might be drawn off and exiled to the New World.



Finally, the extremely poor might be brought to free the country of their embarrassing presence through a process of selling their labor for a period of years, thus paying for their passage to America and obtaining a rootage in new soil.

Of the three stages of English colonization—or attempted colonization—the first, to repeat, was predominantly imperialistic; the second transitional, imperialistic motives continuing from the elder day and intertwining with a number of economic, social, and personal motives; the third period, chiefly personal in its colonizing motives, but, as we shall observe, containing a vigorous revival of economic motives on too large a scale to be labelled merely “personal,” and witnessing also considerable revivals of religious and imperialistic motives.

A word on the paths of migration that have been used in the peopling of central North America. They will be taken up subsequently, one after another as they become factors in American life. The internal paths—speaking from the American point of view—may certainly be left for future discussion. But there were four that were not internal.

The earliest English colonists used a path that Cabot had found and later voyagers had charted. It had been developed by the simple process of following their noses. Cabot steered due west, came to Labrador and coasted southward. The North Atlantic path was his contribution to colonization. It was merely the shortest line that could be drawn from England—wave and weather permitting—to the habitable parts of our eastern shore. The great estuary of the St. Lawrence was passed by, when actual colonization began, because the French had got there first. From their strongholds at the mouth of the St. Lawrence the French were a constant menace to the westward-moving English. It was not accidental that the great fortress, Louisburg, became a prime objective through the wars of the eighteenth century, or that it also became, in English colonial eyes, a vast and mysterious symbol of the power of their greatest enemy.

A second Atlantic path was developed partly for the purpose of utilizing the northeast trade wind, partly to escape the storms of the northwest part of the ocean. This path went slightly southwest to the Canary Islands, thence west, very nearly in the line of Columbus’

voyage, to the West Indies, then northwest to the American coast, Though roundabout and compelling a voyage of long duration—occupying sometimes three and even four months—the southerly Atlantic path quickly became popular, and was much used throughout colonial times.

Two other sea-paths linked the shores of the continent. In the historic “gold rush” of 1849, and long after, thousands of California colonists sailed from New York for the Isthmus of Panama; crossed it and reshipped for the North Pacific. Other thousands journeyed between the same terminals by way of the long voyage around South America—a slower but less arduous undertaking.

(2) The Spanish Empire

The history of the sixteenth and seventeenth centuries, so far as it concerns the origin of the United States, may be thought of in three ways: (1) as a series of movements of population out of Europe into America; (2) as the transfer of certain institutions from the old world to the new; (3) as an effort of the English Crown to restrain certain transplanted populations, and to mould their institutions as it saw fit. A chapter will be devoted to each of these subjects.

The Spaniards were the earliest colonizers of the new world. Their first enduring settlement was made by Columbus on the island we now call Hayti in 1493. The West Indies—their name perpetuating the delusion of the first voyagers—became dominions of the King of Spain; Cortes made his daring conquest of Mexico (1519–1521) and astounded Europe by the richness of his plunder; Pizarro found riches even more incredible—temples roofed with solid gold; gardens where the skilfully simulated flowers were all of gold or silver; wealth beyond dreaming—in his conquest of Peru (1531–1533). In these explorations and annexations lay the core of a Spanish empire. Outlying settlements of this “New Spain” extended southward to Valparaiso (1536); northward to Santa Fé (1609) and St. Augustine (1565). Early expeditions penetrated the northern wilderness and regions not to be settled until long after. De Soto, striking west from the new found Florida—discovered by Ponce de Leon in 1513—was the first European to look upon the Mississippi (1541). At the same time Coronado was fight-

ing his way among the southwestern Indians, seeking vainly for other golden cities like those of Mexico and Peru. It was probably in what is now Kansas that he set up a cross—a desperate monu-



ment to the limit of his endurance—abandoned his futile quest, and turned homeward, a broken man.

The limits of the Spanish-American empire were defined by a bull of Pope Alexander VI (1493). The Pope divided all the new lands between Spain and Portugal, giving Spain everything to the west, Portugal everything to the east of a meridian that lay one hundred leagues west of the Azores. The discontent of Portugal led to the treaty of Torresillas (1494), which divided the world by another

meridian, the one that cut the Atlantic 370 leagues west of the Cape Verde Islands. It was this division that eventually gave Brazil to Portugal.

In the fifty years between the success of Columbus and the failure of Coronado, the Spanish Kingdom expanded into an empire; its sovereign became the richest prince in Christendom; Spanish enterprise planted cities in countries whose very existence a century previous had not been suspected; Spanish piety dotted the new world with stately churches and sent out heroic missionaries to the native races; at the same time Spanish aristocrats fallen on evil days rebuilt their fortunes by seizing the land and compelling the natives to do intolerable labor. The fleet of treasure ships which annually conveyed to Spain the product of gold and silver mines worked by the government in Mexico and Peru carried riches that were all but inestimable.

The English delay in following up the Cabots was due, in part, to the fierce conflicts of the Reformation. The great changes in religion and government that were to continue during the period 1400-1900 had begun. The ideals of the Middle Ages, their social order, their conception of the Christian Church, their political systems, all felt the disintegrating influence of the new thought of the sixteenth century. As always happens, a great movement for change and reconstruction brought about almost instantaneously a great reaction. Though the typical thinking of the time was revolutionary, with an eager emphasis upon many sorts of freedom, it was offset to some extent by a contrasting emphasis upon the ideals of loyalty, of order, of monarchical rule. Both temperament and tradition predestined the Spaniards to faith in these things. Spain organized her new empire on a monarchical plan, with power descending from above, from the King to his council of the Indies and his colonial viceroy. In Europe, Spain became the champion of the monarchical principle. The same influences that led this great nation to give its heart to monarchy led it also to be the champion of orthodoxy. In the furious religious disputes of the sixteenth century—the disputes that split the Roman Church and brought Protestantism into existence—Spain ardently took the side of the old religion.

England did the opposite. Though there was very little real republicanism anywhere in Europe that century—Holland, in the later

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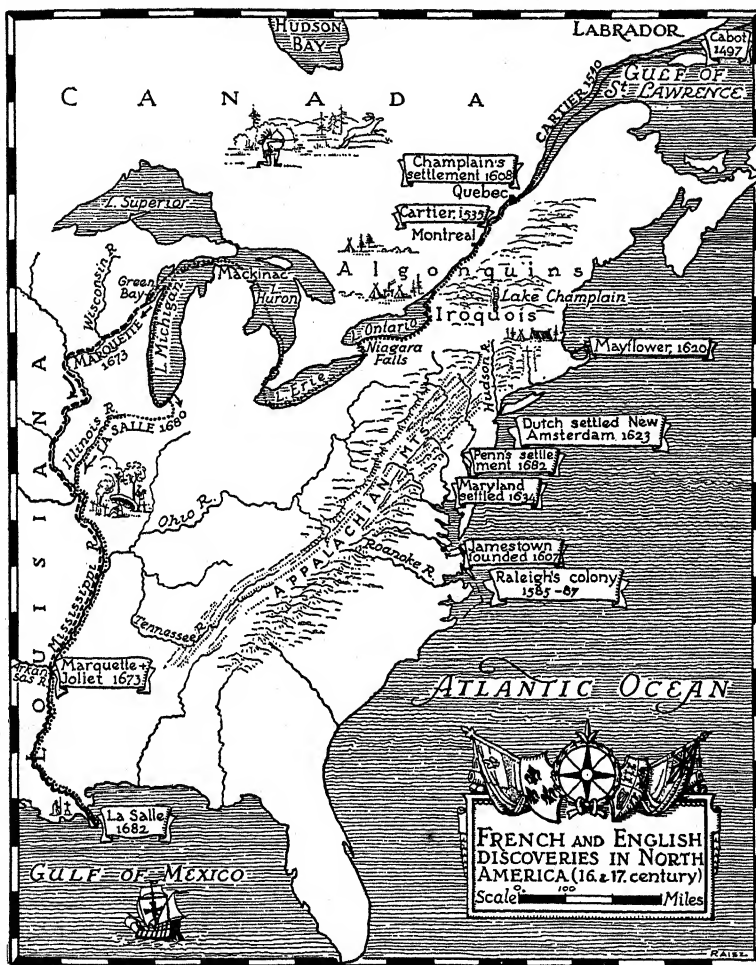
years, being the only great exception—and though England was not yet republican, it was drifting that way. At least it had a free temper, and a willingness to let the individual manage most of his affairs to suit himself, that was not consistent with the ideal of a state managed in all respects by its divinely commissioned King. The temper of the English predisposed them to take the anti-Roman side in the Reformation. Very largely the Reformation was a struggle for home rule in the church and for individualism in the personal religious life. Both these tendencies appealed to the adventurous, individualistic English temper. Nevertheless, England, like most of the nations of that day, was not a unit upon any of these questions. The fact intensified a ferment that was going on within her, and made still more sharp her contrast with Spain. Among all the nations' Spain alone was unified and self-contained, holding to her ancient Catholic and monarchial anchorage with scarce a tremor.

Another contrast lay between Spain and France. The French people, for a time, dragged their anchors, threatening to become Protestant; and though at last they returned to their old faith, it was with a difference, with a new life of their own that placed them almost as far from the Spaniards in thought and feeling as from the reformed nations. They stood for tolerant Catholicism, while Spain stood for intolerant Catholicism.

Naturally Spain did not reach her pinnacle of wealth and power without arousing envy. The same restless vigor that inspired one, inspired all the Atlantic nations. Throughout the sixteenth century, in the full flush of the Renaissance, they looked westward across the masterless field of the blue water to the cloud castles of the sunset, confident that in their shadows measureless fortune lay in wait for him who dared.

Though England threw out a feeler toward the West, in the voyages of the Cabots (1497–1498), and though vague reports which they made were ever after accounted a claim to much of North America, near a hundred years went by before England did anything in America worth talking about. Meanwhile France showed more enterprise. Francis I coolly brushed aside the Spanish-Portuguese agreement of 1494. He commissioned the Italian, Verrazano (1524), to go exploring for France on the far side of the Atlantic. What Verrazano found—though “a very large river” he

reported upon may have been the Hudson—is not certainly known. More to the point were the voyages of Jacques Cartier (1534–1541) who sought a passage northward to Asia. He discovered the



St. Lawrence and spent the winter of 1535–1536 on its shores, his vessels imprisoned by the ice. The rude little fort constructed by his men was the beginning of the French domain in the new world. Late in 1535 Cartier explored the upper St. Lawrence and found an Indian village where is now Montreal.

But France, like England, did not follow up her initial venture. Cartier's fort crumbled into nothing. Sixty years passed and France had made no further attempt to possess the St. Lawrence valley. Her attention was absorbed by the problems of her power in Europe. During this long lapse in the French expansion, the English nation, that was now entering upon one of its greatest epochs, boldly demanded a share in the treasure of the new world.

When Elizabeth succeeded to the English throne (1558) the time was ripe for a bitter rivalry between her people and the Spaniards. The latter controlled a great empire that was vastly rich; the English nation, poor but with the tradition of a great past, hungered and thirsted after wealth and power; Spain led the cause of the old religion; England of the new. Temperament and commercial rivalry complicated all their relations. Spain—anticipating the mercantilism of a later day—had closed her empire against the traders of other nations. The English impetuously set her prohibitions at defiance. It was the age of the far-famed Elizabethan sea dogs—Drake, Hawkins, Frobisher, Preston, Raleigh. While the skillful diplomacy of Elizabeth kept France neutral, these daring rovers, half merchant, half pirate, sought the Spanish Main to trade or to plunder, as occasion dictated. They began by smuggling negro slaves from Africa into New Spain. Clashes with the Spanish authorities naturally followed; the sea dogs broke into Spanish-American towns and compelled trade at the point of pike; a naval battle off Vera Cruz was an English disaster (1568); and thereafter war drew steadily near.

The men who did those reckless things carried everything before them in that wild gay mood, which leaves no question of their cousinship with Shakespeare and Ben Jonson and all the other romantic dreamers of Elizabethan literature. Their imagination was their guide. And this led them enthusiastically into a passion to found an English empire beyond the sea. The first to give clear expression in deeds to that idea was Sir Francis Drake. His predatory voyage around the world in his now so famous *Pelican*—a voyage in the course of which occurred such episodes as the capture of a Spanish treasure ship containing "four score pound weight of gold and six and twenty tonne of silver"—was interrupted by a stay on the coast of our present California. He named the region

New Albion and went through a ceremony of taking possession in the name of Queen Elizabeth. That was in 1579, and tradition fixes the place at Drake's Bay, where today this beginner of English occupation is commemorated by a monument.

The events of Drake's voyage brought the nations to the verge of war. Only the entanglements of European diplomacy delayed the outbreak. France, despite her religious affiliations—she was now drifting back into the Catholic fold—played into the hand of the heretic nation in the political game against the orthodox despot. It was in the midst of this tortuous last stage of nominal peace that Sir Walter Raleigh obtained a patent from Queen Elizabeth, and sent out an expedition which explored a section of the Atlantic coast in the vicinity of Albemarle Sound. Elizabeth, after the expedition had reported, named the new land Virginia, in honor of herself—and as a memorial of her refusal to marry.

A year later (1585) Raleigh sent over Ralph Lane with a view to a settlement on Roanoke Island. He was the wrong man for the undertaking and after a discontented winter he and his settlers went back to England. A second expedition went out in 1587 under the lead of John White, who speedily returned home to obtain fresh supplies. The outbreak of war with Spain detained him in England; all connection with the colony was shut off; when White returned to America (1591) the colony had disappeared. To this day we do not know what became of it. The fact that a Spanish naval expedition early in the war sailed along our east coast as far north as the Chesapeake may be the clew to what happened. But this is mere conjecture. And yet the Spaniards were very jealous of any attempt at settlement to the north of Florida. A glance at the map will show that they had good reason to be. The route of the Spanish treasure ships from the Indies to Spain could be terribly menaced by any power that established a naval base anywhere on our present South Atlantic coast. When Englishmen contrived to plunder treasure ships with no base nearer than their home port, what might they not do with a base in America?

It was partly such reasoning as this that had led the Spaniards, two years before White came to Roanoke, to make a terrible example of certain Frenchmen, chiefly Huguenots, who had established a settlement at the mouth of the St. John's River. The Spaniards

surprised and took them prisoners. All the Huguenots were put to the sword. The Catholics were reserved for the King's pleasure. Because of his tenderness for their religion Philip II spared their lives and sent them to the galleys—the worst of all forms of slavery!

Did a similar fate befall the first settlers of English America? Speculation upon their fate has an especial pathos because at least one was a little child. Among the colonists was White's daughter and her husband Annanias Dare. Their infant girl, born soon after their arrival at Roanoke, was christened Virginia—England's first American child.

(3) Genesis of the United States

The country which these daring adventurers had tapped at opposite ends, both from the Pacific and from the Atlantic—the middle region lying between Canada and New Spain—was far different from what they supposed it to be. They expected to find in this middle country golden cities and inexhaustible mines like those of Mexico and Peru. In fact, they were entering a vast wilderness very nearly empty. Such inhabitants as it had were fierce and capable warriors. Who were they—these tall, robust, black-haired, red-skinned "Indians," who led a life chiefly nomadic in the forests or on the plains of the middle country?

Asiatic emigrants are supposed, at some remote time, to have crossed by way of Bering Strait into North America. Pushing southward they came at last into Mexico, Yucatan, Peru. Long before the birth of Christ they had established in Yucatan a mode of living that may be called civilized. This earliest American civilization fell into decay centuries ago. It was succeeded in a sort of partial renaissance by the semi-barbaric life of the Mexicans and the Peruvians, whose prodigal treasure was not matched by a similar development in thought and morals. When the ancestors of these peoples were slowly pushing southward, it is probable that fragments of the original migration broke away from the main body and became wanderers of the northern wilderness. These, apparently, were the ancestors of Virginia's savage "Indians." Fortunately for the newcomers they were few. Even more fortunate was their slight familiarity with the use of metal. Though their southern kinsmen, with whom they seem to have had no intercourse,

had learned how to make tools and weapons of copper, the northern Indians when the white man came were still in the stone age. Their implements were of wood, bone, or stone. While some of them had made a start at agriculture and had developed the cultivation of maize—which the white men called “Indian corn”—they were still mainly in the hunter stage of evolution, still dependent upon fish and game for the bulk of their food. Their backwardness in the arts, the smallness of their numbers, the uncertainty of their food supply, all contributed to give the white man an immense advantage. On the other hand, in their courage and instinctive aptitude for war, they presented a formidable barrier to European advance.

Any Englishman of 1587, had he known the facts about the middle country, would have felt chagrin over his colonial outlook. Nevertheless, little as he suspected it, he had laid his hands on the greatest prize in the whole world. Nowhere else was there an extent of country offering so much room for settlement, containing such a small number of enemies, and lying altogether in latitudes that were friendly both to the health of man and to the management of the soil. Central America had nowhere like the extent; South America lay chiefly in the tropics; neither contained an imperial domain of empty fertile country altogether in the temperate zone.

Whether the Englishman was going to be able to seize this prize was the great international question in 1587. Spain endeavored to make the war that burst in 1588 a religious crusade. But in this she was not successful. Fortunately for England there had developed a fierce nationalism which permeated all her people and for the moment suspended religious enmity. The Catholic minority vied with the Protestant majority in teaching Philip II of Spain that Englishmen, whatever their faith, would accept no dictation from without. The Catholic Lord Montague riding up to London with all his tenants for the Queen's defense has his place in history scarcely less significant than that of Francis Drake standing out to sea to fight another Marathon.

To settle the matter once for all there sailed from Cadiz the great Spanish fleet, instructed to conquer England, and named in anticipation the Invincible Armada. On July 20, 1588, off Plymouth, was fired the first shot of one of the decisive battles of history. Nine days it raged while the Spanish and English fleets moved

slowly up the narrow seas. England gradually, steadily, gained the upper hand. Two days of manœuvre were followed by seven days of running fight; the crisis was an attempt of the Spaniards to rest at Calais, whence the English drove them out to sea by a sudden onslaught of fire ships aroar with flame; and at last the crowning action off Gravelines, where the Spanish admiral signalled to his captains to seek safety in flight.

(4) *A New Field of Emigration*

The long naval war which followed the defeat of the Armada so reduced the power of Spain that she ceased to be a dangerous enemy in the regions above the Gulf of Mexico. England and France entered upon a colonial rivalry. They proceeded to develop the regions they had already tapped—France to the northward, England in the middle country. But neither made further advances of importance until the seventeenth century had arrived.

Never was the settlement of a new land more profoundly affected by that country's geography than was the settlement of North America. The soaring eagles that in 1600 swept on even wing high above the eastern American wilderness, if they passed diametrically from the Bahamas to the Great Lakes and beyond, saw beneath them in their flight three broad belts of forest vaster than any that have existed in recorded time outside the tropics. First in this northwest flight the coastal plain along the Atlantic margin showed in the south a thick darkness of shadowy pines that merged northward into solid masses of oak and elm, to be succeeded still further north by the stately hemlock.

This dark flat land was crossed by innumerable silver streaks, the Atlantic rivers, often with mouths that were spacious estuaries, but never of great length. Behind this coastal forest, all along the heads of its short rivers, two parallel mountain walls enclosed a rugged corridor, a labyrinth of low transverse plateaus and narrow tortuous valleys where the ranges fell away one beyond the other like the billows of a sea magically arrested. Geographers call this corridor the Great Valley. Far into the sunset still more forest, rolling, wave-like; also, an endless network of sleepy rivers; and all along the west the flowing, silent rampart of the Mississippi. Holding steadily toward the blue vastness of Lake Superior, your

eagles saw a wide gateway of low land—the Gate-country, it may be called—roughly parallel with their own flight, that stretched from the Hudson valley to Lake Ontario, separating the head of the Great Valley from the northeastern Appalachians and suggesting a pathway between Ontario and Long Island Sound. A rival path, apparently easier and more capacious, was that immense river diverging northeastward from Ontario toward the Gulf of St. Lawrence.

By these geographical peculiarities—the three belts of forest, the two enormous rivers, and the low gateway of flat land—the course of settlement and of empire in America was determined.

There were also human considerations that were vital. In the character of the Indians who held the Gate-country and in their relation to the Indians of the northwest fateful consequences lay hid. The Mohawk valley was the seat of the greatest native race of the north, the Iroquois. Across the Lakes, the Hurons were their chief enemies. War and conquest had made the Iroquois masters of most of the Indian tribes bordering the Lakes on the south, but had also stripped the southerly country of fur-bearing animals, especially the beaver, which were the chief treasure of the forest people. Beaver was still plentiful among the Indians of the northwest. Here then were elements of savage rivalry which were to play a dreadful part in the struggle of the white man with the wilderness.

At the close of the first chapter of this story—a chapter that occupies, roughly speaking, the first two-thirds of the seventeenth century—four things are especially noticeable: the comparative slightness of the changes on the map during this period, at least upon the map as seen in the bird's-eye view; the way all the changes had clung to the water courses; the prompt inevitability with which the Gate-country revealed itself as the key to the situation; the magnitude of the part played by the barbarians who possessed it.

For the early settlers the entrances to the wilderness were the river mouths with their avenues of navigable water striking back into the heart of the forest. The story of the flow of population into America in the seventeenth century is a story of the seizure of river valleys, of pushing inland along their banks, of linking up the occupied valleys by means of overland trails. The obstacles

which chiefly determined the course of migration were the natural barrier of the mountain corridor, and the human barrier of the fierce Iroquois.

(5) *New France*

France was the first of the northern nations to resume her attempt at American colonization. She followed the tradition of Cartier's exploit. Therein lies one of the ironies of history. Had France followed the tradition of Verrazano she would have entered the Gate-country and become possessed at once of the most desirable trade route on the continent. But geographical information spread slowly in those days. Cartier had left behind a definite story, Verrazano a vague story. Furthermore, all northern Europe dreamed of "a northwest passage" around or through the Americas to Asia and India. Cartier's enormous river seemed too big to be only a river. It might be the northwest passage. Lastly, though no further colonization had been attempted during the sixteenth century, French traders had visited the St. Lawrence and had made a discovery of the first magnitude—the fur trade. Europe was mad after furs. In the vast supplies controlled by the northern Indians was potential wealth equal to the gold mines of Mexico.

The first trading post on the St. Lawrence was established at Tadousac in 1600. Shortly afterward another group of traders made the start of a settlement at Port Royal, in "Acadia," which is now Nova Scotia. Royal monopolies of trading privileges were the instrument of the French Crown for encouraging settlement. Presently a vast indefinite area with the St. Lawrence as its backbone was named New France and turned over—on paper—to a company called the Hundred Associates, that was invested with complete power both of government and trade (1607).

Vast as were the theoretical dominions of the Hundred Associates, their actual dominions during the sixty-odd years when they ruled New France were but a few scattered trading posts and a few thin lines of settlement running short distances along river banks opening from the St. Lawrence.

The real founder of New France was Champlain. He was one of the earliest adventurers at Port Royal. But it was on the St. Lawrence and in the interior that his important work was done.

Almost at the same moment when Englishmen were starting a rival venture at Jamestown, so far to the south, Champlain induced the fur traders who were backing Port Royal—not yet the Company of the Hundred Associates—to shift their ventures to the St. Lawrence. Champlain was the true pioneer of the slow thin trickle of French settlement that crept up-stream along the St. Lawrence, and threw out little isolated spots of colonization along the Great Lakes. The starting point was Quebec, founded by Champlain in 1608.

Not yet did either Frenchmen or Englishmen have any true notion of the geography of eastern North America. It was purely at a venture that Champlain visited the Gate-country with a view to exploring the region south of the St. Lawrence. He penetrated the Iroquois lands, had a sharp little fight with some of their warriors, and came away thinking he had merely dispersed a handful of savages; never dreaming that France had encountered a fatal enemy. Champlain turned northwestward guided by friendly Hurons, went up the Ottawa River and across to Georgian Bay, thus opening a route between the sea and the farther Lakes destined to be of prime value as an auxiliary trade route whenever the more obvious route of the upper St. Lawrence and Lake Ontario was swept by Indian war. When Champlain died (1634), France, thanks to him, had a real if slight foothold in North America.

One of his latest acts was to send Jean Nicolet to explore the farther Lakes. Nicolet started from Georgian Bay (1634), went as far as Sault Ste. Marie, and came south along Lake Michigan accompanied by two traders, Radisson and Groseilliers, who, twenty years later, explored the region of Lake Superior (1659). They were daring rogues, who subsequently deserted to the English, and helped them found that far-northern fur colony around Hudson Bay, which was long a menace to New France, but which lies just over the horizon of the historian of the United States.

The Company of the Hundred Associates, created in 1607, governed New France and monopolized its trade until 1663. It did very little in the way of colonization. Its various trading posts at the close of its history did not contain 3000 inhabitants. The agricultural population of New France was negligible. Nevertheless, the company had accomplished important results. Through the combined efforts of explorers, traders, and missionaries the nominal

jurisdiction of the French King had been extended over the region of the St. Lawrence and the Great Lakes. What was still more important, the Indians of the northwest had been made to understand that on the lower St. Lawrence was a market for furs.

Even before Champlain's death the first fleet of canoes laden with pelts arrived at Montreal. In later years the annual arrival of the fleet of the fur traders eclipsed all other local events. From the far head-waters of the Lakes the great fleet grew gradually as it was joined by detachment after detachment until when it reached Montreal it numbered its canoes by the hundred.

The French trade with the northwest was not established without a struggle. That little fight which Champlain had with the Iroquois was the beginning of a long series of cruel border wars. The Iroquois, or Five Nations, formed a military confederacy. Their genius for warfare has seldom been surpassed, and they were as shrewd as they were brave. They were quick to see two things: that the newcomers on the St. Lawrence had formed an alliance with their hereditary enemies, the Hurons, and that all sorts of commodities dear to the Indian heart could be had of these strangers in exchange for fur. But the Iroquois lands had been hunted out. The main fur supply lay in the west and northwest. Therefore, reasoning as coolly and as clearly as any white man, the Iroquois before long decided to divert the western trade into their own hands. How it came about that they were at last to serve a rival market, how the issue arose whether the northwestern fur should go down the St. Lawrence to Paris, or down the Hudson to Amsterdam and later to London, will appear hereafter. Because this issue arose, the French fur trade was soon in constant jeopardy. Fearful raids by the Iroquois showed that the savage had nothing to learn from civilization in the way of ruthless commercial war. Incidental to this long struggle was the virtual destruction of France's allies, the Hurons, by their ancient enemies.

When Louis XIV assumed the reins of government New France was in a desperate condition. The King aided by Colbert, his great minister, acted quickly, with drastic thoroughness. The Company of the Hundred Associates was abolished. The Crown took over the direct government of the colony. The renowned Regiment de Carignan-Salieres, one of the glories of the French army, was dis-

patched to the St. Lawrence. Two expeditions into the Iroquois country ended in an armistice (1667) which for a period of ten years enabled New France to breathe freely.

(6) *Colonies of the Chesapeake*

While France was struggling up the valley of the St. Lawrence, in the first half of the seventeenth century, other great waterways were entered by Europeans. Next after France came the English. Again, the motive was trade. The Spanish war was over; the generation that pursued the romantic imagination along with Drake and Raleigh had given place to another perhaps as imaginative but far less romantic. The age of the great merchants had begun. Also there was the beginning of the age of the incorporated company. Long before the French had established the Hundred Associates, the Englishmen, obeying their instinct for individualized co-operation, had perfected the stock company, and by means of it were carrying on through private enterprise trading ventures in all parts of the world. A group of such companies were active in the early years of the seventeenth century—the Muscovy Company, the Turkey Company, the famed East India Company, and others. Why should not another company of this sort revive the lapsed project to form a colony in North America? Two considerations made the project attractive. England was importing more than she exported. The great demand for spices, fish, naval stores, including lumber, and for silks and wine, was taking English money into foreign markets to an extent that alarmed the orthodox economists of that day. It was conceivable that many of these things might be found in American colonies under the English flag. Furthermore, there was the stubborn belief that America must contain gold mines. Also there was that fixed delusion of the time, the hope of finding a direct water passage through or around North America to Asia. Another consideration of great importance was the number of discontented people then to be found in all parts of the kingdom. It has been much debated whether England under the conditions of the time was overpopulated. There is no doubt that it had a floating population which was drifting off the land into the cities. The control of land was concentrating in a few hands, unemployment

was beginning to be serious. Presently—though distinctly later than 1600—religious discontent began to turn men's eyes toward America as to a land of refuge.

One thing with another brought about the creation of a pair of companies (1606) under charter of James I.¹ They are known today as the Plymouth and London Companies, the latter being frequently called the "Virginia Company." In 1606, when the companies were chartered, New France was not more than a few wretched trading posts and therefore the English King may perhaps be excused for ignoring its existence. He did so. On the strength of Cabot's shadowy discoveries and later voyages of English adventurers, he claimed to be possessed of all North America between 34° and 45° north latitude—that is, from the latitude of Wilmington, North Carolina, to the latitude of Newfoundland. Fourteen years later, when the Plymouth Company was reorganized as the Council for New England, he continued this pleasant practice by extending his theoretical boundary to latitude 48° north. This habit of taking what you please of the map was revived by his grandson in 1663, when he granted away the unoccupied region of the Carolinas; and was still further improved upon, two years later, when he fixed the southern boundary theoretically at latitude 29°, well to the south of the Spanish city of St. Augustine.

But it was one thing to lay off these new dominions on the map; it was quite another thing to possess them. The Plymouth Company came near to being a fizzle. Its charter permitted it to occupy a region a hundred miles square somewhere between 38° and 45° provided the colony should be at least a hundred miles distant from the nearest settlement of the London Company. The only settlement established by the Plymouth Company was at the mouth of the Kennebec. The single winter (1607–1608) spent on the Maine coast so discouraged the colonists that when spring came they were glad to abandon the enterprise and go back to England.

The beginning of England's permanent colonization in North America was the sailing of three ships from London, December 20, 1606—the *Sarah Constant*, the *Good Speed*, and the *Discovery*. The

¹ The complex arrangements for the settlement of "that part of America commonly called Virginia"—which meant the whole coast claimed by England—are in the three royal charters of 1606, 1609, 1612. See Macdonald, *Select Charters*; Pease and Roberts, *Selected Readings*; Poore, *Constitutions and Charters*.

commander of this little fleet was Christopher Newport, under commission of the London Company. Like its fellow, this company was to occupy a region a hundred miles square which was to lie somewhere between 34° and 41° and was to keep its distance of at least one hundred miles from the other colony.

And now the crude geographical knowledge of the time caused England to miss the strategic point of eastern America—just as France had already missed it, and for much the same reason. As France in resuming exploration was guided by the tradition of Cartier's voyages, so England was guided by the tradition of Drake and Raleigh. Chesapeake Bay had been discovered by Raleigh's colonists. Did not that vast estuary hint at a northwest passage to the Pacific? For the purpose of planting a colony at the mouth of the possible northwest passage Newport steered for the Chesapeake.



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On April 26 (old style), he came in sight of the Virginia capes. Proceeding he entered a large river which he named after King James. Thirty-two miles from the mouth a peninsula was fixed upon as the site of the first settlement. Here Jamestown was built. Hardship was its portion almost from the beginning. Scarcely had summer come than malarial pestilence broke out among the settlers. Their food ran short. At this crisis, a plebeian soldier of fortune, John Smith, who had been despised by the higher-born members of the expedition, became its salvation. He won over Powhatan, the ruler of the neighboring Indians, and prevailed upon him, as one of the colonists has recorded, "to relieve us with victuals, as Bread, Corne, Fish, and Flesh in great plenty, otherwise we had all perished."

On Newport's return, January, 1608, 120 colonists had shrunk to 40. During the next three years despite the periodic arrival of

fresh supplies, and of other colonists, the settlement barely maintained its existence. In the summer of 1608 malaria again became a scourge. That the colonists did not give up out of sheer despair, in the sufferings of the following winter, was due largely to Smith. By the terms of sealed orders brought over on the first voyage seven councillors and a president were to administer the colony. Smith was one of the councillors. All the others had died and Smith now by common assent assumed the functions of a dictator. A bold, irresistible man, perhaps a liar, certainly a romancer, but also gifted with insight, imagination, and dauntless courage, his reservoir of will power was the one life-giving spring in the despairing settlement. His return to England due to ill health in the autumn of 1609 was a calamity. The winter following, when there was no infectious genius among them, marks the lowest ebb of the colonists' despair. It is still called "the starving time." At the opening of the winter recent arrivals had swelled the population to 500, but in the spring only 60 remained. Famine and Indian warfare accounted for the rest.

Meanwhile, in England, there arose a demand for more effective administration of Virginia. A second charter (1609) increased the area of the colony and the powers of the company. Its new dominions extended along the coast 200 miles north and the same distance south of Point Comfort, and was to extend to the Pacific.¹

The stern rule of a man of iron, Sir Thomas Dale, was the turning point in the history of Virginia. In one capacity or another he dominated the colony from 1611 to 1616. In this period the last lingering dreams of fortune hunters, who had come over in search of gold, were crushed out; an idle element composed of younger sons of good families who demanded support without labor were mercilessly driven into work; the Indians were at first overawed, and then through the marriage of Powhatan's daughter, Pocahontas, with an Englishman, John Rolfe, were brought into alliance; agriculture was encouraged and every settler who was willing to work received land from the company. When Dale went back to England the worst was over.

The colonists had begun to spread themselves out along James

¹ It went "up into the land throughout from sea to sea west and north west." The meaning of the last three words quoted was afterward a thorny question. See Chapter XI, Section 5.

River. Steadily this process went on. Though the Indians fell upon them in 1622 and slew many of them, the occupation of the valley was not seriously interrupted. Large estates were granted to settlers with means. It was found that Virginia was an ideal place for the production of tobacco. There was a growing European market for tobacco, and its exportation quickly became a source of wealth in Virginia. The Crown established a tobacco monopoly which led to endless bickering with the colonial producers, but was not without its benefits, as the Crown, to support the monopoly, destroyed the competing tobacco industry of England itself. The tobacco fleet, which was soon a yearly event of the Chesapeake, meant as much in the life of Virginia as did the fur-traders' fleet in New France.

Had the English occupation of the Chesapeake taken place in ancient times when mankind were few and the nations were not reaching for each other's throats, this noble inland sea would have become the seat gradually of a self-sufficing civilization bound together by the easy water transport of the bay itself and its rivers. In the seventeenth century the pressure of unscrupulous international rivalry permitted to the little world of the Chesapeake only fifty-seven years of wholly isolated existence (1607-1664). Nevertheless, in a somewhat sketchy fashion it repeated briefly the natural process of adapting a civilized people to a new environment. A uniform climate with similar conditions of soil rendered all the Chesapeake valleys good opportunities for tobacco culture. Along river after river, as far inland as the tobacco ships could go, the banks were appropriated by tobacco plantations. Thus was formed a purely agricultural community sharply different from the mainly trading community of the Saint Lawrence; and of course this colony, or rather colonies—for presently there were two—drew to the Chesapeake persons willing to stake their fortune upon agriculture, persons who had no objection to isolated living, who would not be troubled by the lack of towns. Towns, in a world where each planter could do his trading at his own wharf, were unnecessary.

The second colony of the Chesapeake was carved out of the vast area of Virginia by a royal charter granted in 1632 to Cecilius Calvert, Lord Baltimore. The significance of this grant from the institutional point of view, its creation of Maryland as a proprietary

colony, comes into the next chapter. As a detail in the occupation of the Atlantic coast, it does not differ from the other ventures of the Chesapeake. Above the Potomac, which was the southerly boundary of Maryland, there went on the same appropriation of river bottoms for tobacco plantations that had developed below. Though the two Chesapeake colonies in the first half of the century were differentiated by their mental and spiritual problems, they were unified by their common economic interest, their common mode of life, their common character. For both, the fleet of trading ships coming yearly between the Virginia capes, scattering up all the rivers that flowed into the bay, collecting tobacco at hundreds of private wharves, was the central fact of the calendar.

(7) *New England*

Meanwhile, far to the north, England established another centre of colonial radiation. Like the colonies of the Chesapeake, this group of northern colonies had at first a unity of their own due to corresponding causes—uniformity of climate and geography, occupations in common, and the emigration of a class of people predisposed to the same interests and activities. They also, until 1664, formed an isolated world of their own, with Frenchmen to the north of them and Dutchmen, as we shall see, to the south.

Few things in American history have been so fully narrated as the coming of the first group of these northern settlers. To recount, today, the story of the "Pilgrim Fathers" were the repetition of a truism. That little group of English non-conformists, who at the opening of the century had their own form of religious worship in the village of Scrooby; who, because of their religion, became objects of royal animosity; many of whom suffered imprisonment for conscience' sake and later stole away secretly to Holland; and at last decided to settle in America—these people are now familiar figures to us all. It was in 1620 that these Pilgrims, having obtained a patent from the Virginia Company and borrowed money from English capitalists, assembled at old Plymouth. Thence the ship *Mayflower* bore them westward. Its passengers numbered 102.

Why they were not landed, as at first they expected to be, in the territory of the Virginia Company is not known. For some reason,

now obscure, their course was deflected to the bleak shores of New England¹ where the Pilgrims landed, December 21, 1620.

Again the irony of fate! A third colonial beginning had missed the strategic point, the Gate-country. Its immeasurable opportunities for trade were left for some one else to appropriate. The tiny settlement formed by these valiant exiles has its place in American history as a symbol rather than as a continuing force. It was planted outside the limit of Virginia on land to which it had no title. In the next chapter its form of government will be described. Its significance is due chiefly to its being the first of a long series of American communities that were organized by the free action of individuals, with no formal warrant for their existence, that came about merely because a group of Anglo-Saxons, so called, found themselves alone in the wilderness, dependent upon their own devices. Like Jamestown, its first stage was an heroic tragedy. By the end of the first winter sickness had so reduced the colony that only fifty-six remained alive.

This mere handful turned fearlessly to the conquest of the wilderness, and in time paid off their English debt through trade in furs. They had defied the neighboring Indians, and then made friends with them. In their first autumn they established our earliest national festival. Ancient Aryan² instincts came again to life when with their Indian friends—by whom they had been taught to cultivate maize, fertilizing it by burying a fish in every hill—the Pilgrims in their first Thanksgiving Day revived the old autumnal celebration of the fruitfulness of the earth.

Nearly ten years passed before the real migration to New England began. Before then the Plymouth Company was reorganized as the Council for New England (1620), receiving a sea-to-sea grant bordered by the fourteenth and forty-eighth parallels. An English fishing village, known later as Salem, was established on Cape Ann (1623). This village was projected by merchants of Dorchester, who a little later formed an association and received

¹ Thus named on a map of John Smith, who sailed along this coast in 1614. Smith gave to the harbor eventually chosen by the Pilgrims the name of Plymouth. They accepted the name partly because it was already on the map, partly because of the old Plymouth from which they sailed.

² This term "Aryan" has been variously used. Strictly it applies only to the Caucasians of India. At various times Western scholars have used it to apply to a group of Caucasian peoples excluding the Semites.

from the council (1628) a grant of all the land lying between an east-and-west line to be drawn three miles south of Charles River, and a similar line three miles north of the Merrimac, and extending from the Atlantic to the Pacific.

The Dorchester adventurers sent over John Endicott with fifty settlers to plant a colony at Salem (1628). The next year the asso-



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ciation went a step farther. They obtained a royal charter confirming their grant and incorporating them as the "Governor and Company of Massachusetts Bay in New England." This charter removed them entirely from the jurisdiction of the council.

By this time Archbishop Laud had begun his persecution of the English Puritans. Seeing no way of holding their own at home, a group of Puritan leaders, among whom John Winthrop was the chief spirit, met at Cambridge and formed a momentous agreement (1629). If the Massachusetts Company would consent to remove bag and baggage to America, they would join the company and go with it, and form a Puritan state in New England. The company

promptly accepted their proposal. Winthrop was elected governor. What is known as the "Great Migration" occurred in 1630, when Winthrop sailed with a fleet of eleven ships, followed speedily by six others, bringing to New England more than a thousand souls.

The mouth of the Charles River was fixed upon by Winthrop as his headquarters, and there Charlestown was built, but shortly afterward he removed to a peninsula across the river, where the capital of the colony was planted and given the name of Boston (1630).

Conditions in England during the next ten years caused a steady stream of Puritans to follow the first comers. The strength of the party at home was in the towns, and for the most part it was an urban population that followed the Puritan leaders into the west. Nevertheless they had perforce to become agriculturalists more or less. The harsh climate and the meagre supply of bottom land along the rivers compelled them to seek eagerly for the most productive lands that could be found. Again, the process of settlement was the following of the waterways. The valleys of the Charles, the Mystic, the Merrimac, were rapidly occupied, forming the nucleus of Massachusetts.

The quick exhaustion of the land supply, combined with factional quarrels among various brands of Puritanism, led to the throwing out of detached settlements outside the area of the Massachusetts grant, such as Providence, on Narragansett Bay, which was the germ of Rhode Island (1636). The germ of New Hampshire was in towns that sprang up north of the Merrimac, of which a notable illustration was Exeter (1635), peopled by dissenters from Massachusetts.¹ Still farther north a separate, and, as it was to prove, futile undertaking was the little non-Puritan colony of Maine with its centre at York.

So small was the agricultural area of New England's eastern river lands, and so large relatively was the early emigration, that within six years settlers began reaching out after the spacious valley of the Connecticut. Picturesquely prophetic of many a later migration, was the one led by the saintly clergyman, Thomas Hooker

¹ The area of modern New Hampshire was covered by a proprietary grant to John Mason, who, however, had little success in establishing his colony though he or his heirs claimed their proprietary rights until 1679. The real founders of New Hampshire were the dissenters from Massachusetts.

(1636), whose Cambridge congregation, with all their goods and driving before them a herd of cattle, followed him through the wilderness of central Massachusetts to form a new settlement on what for them was the great river of the far west. From this and succeeding migrations grew a little group of independent towns—not one having any royal warrant for its existence, being only the expression of its own will to live—which we now call the River Towns of Connecticut; from the voluntary union of these—Windsor, Hartford, Wethersfield—we date the formation of that colony (1639). Meanwhile these restless, discontented Englishmen of the north were pushing westward along still another line of water transit. Long Island Sound led them to the mouth of the Connecticut, where a company of Puritans, direct from England, built Fort Saybrook (1635). Beyond the Connecticut, John Davenport founded New Haven (1640), which presently threw an outpost across the Sound, and began the English occupation of Long Island.

These scattered settlements had not escaped Indian war. Incidental to the advance to the Connecticut, was a life-and-death struggle with the Pequot tribe. Though the causes are obscure the results are cruelly plain. The year following Hooker's migration saw a furious attack on the Pequots, in which men of Massachusetts participated. Two defeats which amounted to massacres destroyed the tribe.

The dread of more serious war may have lain at the back of New England's course. The Dutch nation had established itself as a colonial power not far from Hartford. A contest between England and Holland appeared imminent.

(8) *New Netherland*

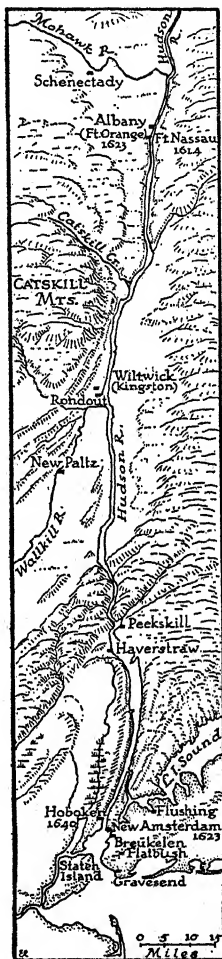
While the two groups of English colonies, so far removed from one another, were appropriating great extents of coast, blind fortune had thrown into the hands of Holland the great prize, the Gate-country. Rising to power on the wreck of Spain, Holland had sought to capture empire through victorious trade. The Dutch East India Company was no mean competitor of its famous English rival. It was this great company that employed Henry Hudson to seek for a northwest passage to India. It was Hudson in his ship *Half Moon* who explored the river which bears his name

(1609), and led the way for Dutch traders whose activities brought about the founding of the Dutch West India Company (1621). This company was given sole right to control the Dutch expansion into America.

The two islands, Manhattan and Staten, were the starting points for occupation of the Hudson valley. Settlement was begun by thirty families of Walloons who came over from Flanders (1623). A few years later Peter Minuit was made director-general of the colony of New Netherland. He bought the Indian title to the whole of Manhattan Island (1626) for the equivalent of twenty-four dollars—as money was estimated forty years ago. Minuit fortified a village on Manhattan and named it New Amsterdam. Rapidly the Dutch pushed their way up the river. To induce settlement, huge estates were created ruled by “patroons,” who were granted the privileges of feudal barons in return for bringing over settlers to develop their land. Various towns were established. Fort Orange (Albany) became the point of contact with the Iroquois. New Amsterdam soon became a thriving port.

It was through this Dutch colony that the Iroquois got their great commercial opportunity. The keen savages perceived that a new trade route had been opened to which they held the key. Their relentless warfare against the French was inspired by the desire to block the course of the northwest fur trade, to force it to turn aside, and instead of passing down the Saint Lawrence to Quebec, Montreal, Paris, to pass along the Mohawk, down the Hudson to the Amsterdams, old and new. A duel of markets, French against Dutch, was thus set up.

The Dutch West India Company did not well appreciate either its opportunities or its difficulties in America. A clearer vision was



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possessed by the man who in 1647 was made director-general of New Netherland. Peter Stuyvesant was impetuous and arbitrary, but he worked faithfully to make his colony prosperous and secure.

The bickerings with the New Englanders over a fort which the Dutch had established on the Connecticut received immediate attention from Stuyvesant. A conference at Hartford (1650) led to a definite boundary—substantially the present western boundary of New England—and to a partition of Long Island.

Stuyvesant's hands were freed for an undertaking that doubtless seemed to him even more important than an understanding with the English. Sweden had been stirred rather half-heartedly to attempt commercial expansion. A feeble imitation of the powerful trade organizations of England and Holland was The New Sweden Company. Its first expedition to America came early enough to seize the last great estuary that still lay open north of Albemarle Sound. Swedes established Fort Christina (Wilmington), on the Delaware (1638). They made scattered settlements along the river, laid out tobacco plantations, and began trading with the Indians—fur, as always, being the objective. Twelve years passed. The colony had had little support from the home government; the colonists had dwindled to a handful. Stuyvesant having settled his quarrel with the New Englanders, promptly took the offensive against the Swedes. He sent an expedition to the Delaware which built Fort Casimer (1656), almost next door to Fort Christina. Therefore Sweden was roused to a belated attempt to save her colony. Some 350 settlers were sent over, and the Dutch were expelled from Fort Casimer. Stuyvesant's reply was an appeal to the West India Company to make an end of New Sweden. In 1655 it was done. The siege of Christina by Stuyvesant and a Dutch fleet resulted in an easy conquest (1655).

(9) The Problem of 1660

By 1660 three nations had established four blocks of colonization in eastern North America. Bearing in mind that bird's-eye view which lay beneath the eagle in his flight, the aspect of the country cannot be said to have been appreciably changed. Still, the enormous forests were much as they had been except for a thin fraying out of parts of their margins. The northward-flying eagle

might have noted a change in the aspect of the soil—clearings dotted by little houses—on both the Virginia capes. Similar belts of cleared land, not much more than one plantation deep, lay all along both sides of every river entering the Chesapeake Bay from the west as far north as the Patuxet and stretching inland like tentacles for irregular distances. The eastern shore of the bay was almost untouched. Though there was but one coast settlement between the Capes and New York, the middle course of the Delaware had been lined by settlements of Dutch and Swedish, and the Hudson valley was pretty fully in possession of the Dutch. From Long Island Sound to the Penobscot the sea was rimmed by English settlements; tentacles of settlement stretched inland well up the Merrimac and the Connecticut. New France, though it included a few trading villages in Acadia (page 50), lay almost altogether hundreds of miles from the sea; it composed, in addition to its far-flung inland posts, only an extremely thin belt of cleared land along the Saint Lawrence and its tributaries in the region of Montreal. Were the eagle's flight made in mid-winter, the areas that were dotted over by the smooth white slopes of roof-tops would have appeared in comparison with the all but limitless areas of snow-clad forest pitifully slight.

Mid-winter in that bird's-eye view would have revealed another fact that was the key to much that was to follow. New France, buried in the heart of the continent flanked by trackless forest, had but one avenue connecting it with the world. And five months of the year that avenue was closed by the ice. New Netherland, on the other hand, with its unrivalled ice-free port had incomparably the better commercial situation.

Furthermore, as compared with the two English blocks of colonization, New Netherland again had the advantages of nature. Back of the lower English block lay the difficult country of the mountain corridor, as good a barrier to trade and expansion as nature had devised anywhere in the eastern country. Back of the upper English block lay in part another mountain barrier, in part their Dutch rivals. On the other hand, back of New Netherland lay the lowlands of the Gate-country, curving around the end of the mountain corridor, and forming a broad and easy road past the sources of the Ohio and on into the heart of the fur-bearing west.

It was a strange chance that had placed this region, so priceless in its trading potentialities, in the hands of the weakest of the three rival colonizing powers. In 1660 it was a natural speculation—would Holland be able to hold this great treasure she had seized? The Crown of England claimed every foot of her colony, and the Crown of France eagerly desired it.

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CHAPTER III

TRANSPLANTING INSTITUTIONS

(I) *Absolutism in North America*

OBVIOUSLY the basic significance of a colonial adventure is a matter of what seed, mental and spiritual, the colonists bring with them and plant in the new soil. The aims, the ideas, the traditions, the temperament, the capabilities of those human elements which are active in the plastic first stage of the colony—while the main lines of a new society are being drawn—these are the prime considerations. It is out of these that the clew to colonization as the creator of new societies will develop.

In the seventeenth century all the new American colonies had their sharply defined characteristics. They were also differentiated in broadly defined groups. The Dutch-English colonies, widely as they differed among themselves, were all still more widely different from the French. It is important to know enough of the institutional starting points of the four blocks of colonization to form some idea of the initial impulse that created in each its social-political momentum.

The European powers behind the colonial movements are integral parts of the picture. In the new planting in America, all the European nations are involved, but only those which established the

four blocks are deeply significant. While the others contributed temperamental elements, only France, Holland, and England contributed institutions. The conflict of institutions in the seventeenth and eighteenth centuries was far more significant to the world at large than the conflict of races.

The time focussed itself in large measure upon the issue of the inherent rights of kings. That monarchical reaction which was led by the Spaniards had extended to France. When the Spanish monarchy lost world-leadership, the French monarchy obtained it. The powerful order of the Jesuits, the very bulwark of the monarchical reaction, became especially influential in France. Throughout the seventeenth century the monarchical idea was permeating both the French state and the French church. In part, this was a reaction from the fierceness of internal division produced by the Reformation. For better or worse, after a painful hesitation France made up her mind collectively to be a model of absolutism. A condition almost chaotic was gradually changed through the genius of a succession of able ministers—Richelieu, Mazarin, Colbert—to a marvel of consolidated organization. The ancient local freedom of the French disappeared.

In her colonial venture, France began by feebly copying the tendency of the commercial nations toward trading companies vested with powers of government (page 20). Hence, the Company of the Hundred Associates (page 49). When the inefficiency of that company brought about its abolition, Colbert was entering upon his illustrious career as chief minister to Louis XIV. His hand was felt in the reorganization of New France. Its government became as close an imitation of the government of a province in old France as circumstance would permit. There was a governor, council, intendant, and bishop—all except the bishop directly dependent on the royal will. The heart of the system was the intendant. His powers were vague but almost unlimited. As the direct representative of the King, he could thrust his hand into every phase of colonial life. A famous comment of the time described old France as a country "ruled by a king and his thirty intendants upon whose will alone all its welfare and its wants depend." In New France, governor and intendant often got in each other's way, but neither had any recourse except to the King in person. Through the jealousies of the two,

the King, aided by many spies, kept each from becoming too powerful.

There was no representative government. The greatest of the governors, Frontenac, signalized his advent by a strange contradiction of the policy of Louis XIV. He summoned a representative assembly. He was reprimanded "with the intimation that the King could not permit in the colony an institution that he was doing his best and with entire success to crush out at home."¹

Under such conditions it was but natural that Frenchmen with revolutionary tendencies were not attracted to New France and were not encouraged to go there. Emigrants were drawn from those parts of France, and from those classes in France, that were content to live under a despotic rule. In the main, they were officials, soldiers, landowners who were in essence soldiers, and feudal tenants long accustomed to the rule of their baronial lords. The hopes, desires, ambitions of these people took different directions from those of the more revolutionary nations of northern Europe—Holland, Germany, Scandinavia, the British Isles. Brave, gifted, poetic, they built up a romantic and highly religious society, but one that was not concerned either with the mental or the social revolution that was progressing among their neighbors.

The distinctive unit of life in New France was the feudal seignury. A renaissance, in some degree, of the feudal temper was part of that outburst of energy which gave new life to the French system of the seventeenth century. The feudal idea found a fresh field in America, where the dangerous conditions of life offered to this decaying institution a new chance to prove itself useful. Like the fief of the Middle Ages, the Canadian seignury was not only a farm but also a militia post with the seigneur as commandant and his faithful tenants as garrison. Girdled by the wilderness, with savage enemies just across the horizon, this tenant militia, conceiving themselves as the King's permanent host, all deeply susceptible to the poetry, the romance, of monarchy, formed the bulwark of New France.

Their relation to the Church formed a further support to the monarchical principle. All New France was organized as a single bishopric. In religious as in civil affairs, seigneur and tenant,

¹ Munro, *Crusaders of New France*, p. 83.

soldier, trader, everybody, was constantly being recharged with that complete faith in centralization which was the soul of the French system. Thus, again, it was natural that the aspirations of the men and women of New France took different directions from those of most of the northern nations. While the latter were becoming more and more Protestant—drifting away from centralization in religion—there was a brilliant revival of Catholic Christianity among the French. Again, America offered an alluring field for the practice of this form of idealism.

The wilderness, with its pagan enemies of the French Crown, cast a spell upon priest and layman alike. In the effort to conquer, convert, and guard a new world both for Church and King, there was aroused an imaginative passion seldom excelled. The result of all this was a Canadian population small but valiant, characterized by loyalty and obedience and often by preoccupation with unearthly things. It produced dreamers and heroes but not a republican temper. It had its noble martyrs to the faith, such as Father Isaac Jogues, who died heroically at the hands of the Iroquois, but it had no martyrs to civil liberty or to freedom of conscience. The governmental foundation laid deep in the heart of New France was the same as that upon which Louis at Versailles was building the greatest of modern autocracies.

(2) Genesis of American Liberty

While New France was developing as an expression of centralization, conformity, and the monarchical ideal, the English colonial movement formed a striking contrast. First of all, it was not a unified movement; it proceeded from various causes; it expressed various purposes. Furthermore, no English colonial venture outside the West Indies originated with the Crown. The American colonies were the fruit of private enterprise which the Crown tried later to appropriate. Three other cardinal features must be remembered: (1) Every English-American colony either started as some sort of movement of dissent or became a movement of dissent; (2) all of them in one way or another, until after the Revolution of 1688, stood at some time in sharp opposition to the purposes of the home government; (3) each of them based its ideas of government on

the possession of a representative assembly empowered to lay taxes. A turbulent, uneven movement, or set of movements, was this seventeenth-century English expansion, carrying within itself unaware the ferment of popular government.

A device which stimulated the growth of republican tendencies was the popular commercial organization that may be termed the company-republic, illustrated in the second Virginia Charter (1609) and further defined by the third (1612). An organization of this sort was practically our modern stock company, managing its affairs through the votes of stockholders by means of elected officers. It was empowered to hold "courts," or assemblies, of stockholders in which majority vote was final. This invention of the company-republic picked up and adapted to new conditions various survivals of an elder day with which most Englishmen were familiar. There had long been some measure of self-government in the English towns. The English parish was a tiny governmental unit that conducted its charities and performed various administrative duties through a simple sort of self-government.

The town tradition, the parish tradition, the new business corporation, all conspired to build up in certain classes of Englishmen an habitual attitude toward votes and majorities as the common-sense instruments for the regulation of collective life. Furthermore, the congregational forms of Christianity were spreading in England. Calvinism, wherever its influence went, took with it a vivid interest in the Republic of Geneva. That little Swiss nation has contributed indirectly to the governmental conceptions of all the groups of people who were influenced by its greatest citizen, Calvin. The congregational ideal in church government is the prolongation into ecclesiastical affairs of the institutions of Calvin's city.

There has been much discussion of the origin of that impulse toward free majority rule which began to make itself felt in the English colonies almost as soon as they came into existence. Eloquent writers have traced it to a renaissance of ancient Teutonic customs, the reappearance of the deep-laid "Aryan" instincts. All that may be true. But even without that, these narrower and humbler causes go far toward accounting for it. In the broad open scene in which the colonist found himself, thrown so entirely upon his own resources, things that were brewing within him, that had been re-

tarded by the more rigid conditions at home, revealed themselves as being for him matters of course.

Two other things must also be remembered: (1) The colonist brought with him only such institutions as he was in the habit of using; and (2) the simplicity of his life for several generations did not compel him to evoke complex institutions. His political science was thus at the start, when our traditions were forming, pretty much a matter of his direct experience. As a rule he was the sort of person who did not trouble himself about political philosophy. He did what he found himself compelled to do, and justified it, not by political theory, but by what he chose to consider common sense.

Among the stockholders of the Virginia Company were men whom their day accounted radicals, typified by Sir Edwyn Sandys. They were making poor headway as political reformers. But they were men of wealth—nobles or great merchants—and their money opened to them a way to experiment in social systems. Virginia, as an investment, had proved a failure. Financial magnates who were making money in the East India Company were losing it in the Virginia Company. For that reason they were induced to sell to these political idealists the control of the company. A new régime began when Sir Edwyn Sandys, the chief of the idealists, assumed the management of the company as its treasurer (1619). The new masters of the company were typical of their own day, and the story of their administration, like all other political movements of the seventeenth century, contains much that seems to us inconsistent. Though a theoretical opponent of monopoly, Sandys could favor in his own case extreme control of trade. Nevertheless, he and his associates were prophets of a new time that was coming. Two of their measures, highly characteristic, reveal their social ideal.

The Virginia Charter, like all other royal charters, contained a vague promise that colonial subjects were to be allowed their "rights" the same as if they had remained within the realm of England. But what were the "rights" of Englishmen in the early seventeenth century? Upon that question the nation unaware was getting ready to fight a civil war. Certainly the time had not come when freedom to choose and practise what religion one liked was among those rights. The old ideal of Catholic conformity which preceded the Reformation had been succeeded by an ideal of Protestant conformity. Virginia,

under its first management, was rigidly conformist. To absent oneself from Church, the established Church, was to invite a public whipping.

Personally, the new treasurer was an Anglican. All the more significant his attempt to find room in Virginia for those non-conformists of Scrooby who could not bear any longer to stay outside the English domain (page 58). The Virginia Charter forbade the enactment for Virginia of any law obnoxious to a law of England—a provision to be found in all the colonial charters—and a statute of the company creating religious freedom would have been invalid. But Sandys obtained some sort of understanding with the Crown, because of which the Pilgrims felt safe in their plan to go to Virginia and occupy a tract of land by themselves—the plan which was not carried out.

The boldest and the most enduring measure of the rule of the idealists was a set of instructions sent over to Sir George Yeardley, governor of Virginia, under which, July 30, 1619, he called together the first legislative assembly of English America. It met in the church at Jamestown. There were now eleven settlements in Virginia. Each sent two "burgesses" who with the governor and his council formed the Colonial Assembly. It began at once to legislate for Virginia, each member governing his course by his own floating ideas of what an English legislator should do for his community.

Rather doubtful some of the legislation may now seem—like the approval of the requirement that every colonist should attend the established church twice each Sunday, and the attempt to regulate business by law, as when tobacco planting was restricted so as to encourage the cultivation of silk, flax, and wine. But it was the beginning in America of the idea that the body politic should govern itself.

But Virginia was not destined to work out its salvation free from interference by the Crown. James I became alarmed at the course of the parliamentary radicals who controlled Virginia. He labelled the company "a seminary of sedition." To get the colony out of their hands, suit was brought against the company on the ground of failure to fulfill its technical obligations under the charter. A court that was under royal influence promptly gave the desired decision, and the company ceased to exist.

Then followed the invention of a new type of political unit, the royal province. When fully organized as a province, Virginia had a government consisting of governor, council, and assembly, which the colonists soon came to look upon as analogous to king, lords, and commons. The Crown did not admit the analogy. It maintained that the colony was no more than a municipal corporation on the same footing before the law as the municipal corporations of England, bodies created by the Crown and more or less dependent upon its pleasure. The dispute was eventually settled, as such disputes generally are, at the cannon's mouth.

As to the details of this government, the governor, of course, was appointed by the King; so were the councillors who were generally influential colonials; the assembly was elected. Council and assembly, though at first one body, separated presently and thus a legislature of two houses was established. The basis of representation in the assembly was a system of counties modelled on the counties of England.

Taxation fell easily into the hands of the assembly because of the King's desire to be independent of Parliament in the administration of his royal province. The royal governor had to be paid. Should Parliament pay him? Then Parliament would make him its servant. A wise choice of evils, from the King's point of view, put the governor's payment and that of other officials of the colony into the hands of the relatively feeble colonial assembly.

The Crown at once asserted the feudal theory that all land belonged to the King. An institution of the royal province was the small tax known as quitrent paid yearly to the King by all land holders. Theoretically, it was in discharge of the obligations of the landholder as a feudal tenant. Reproduced in all the royal provinces and in those proprietary colonies which soon began to appear—Maryland, the Carolinas, Pennsylvania—this tax, though always small, was always a source of discontent. In the new non-feudal world it did not justify itself to the imaginations of the settlers.

(3) Popular Government on the Chesapeake

The next thirty years form a stormy period in the little world of the Chesapeake. The Crown awaked to the fact that revolu-

tionary tendencies which were brewing at home might in these voluntary colonial movements be planting centres of ferment across the Atlantic.

The Virginia Assembly was temporarily suppressed. But even a Stuart sovereign—little inclined as all the Stuarts were to popular government—could see that there was no escape from the alternative of payment for colonial officials either through Parliament or through a colonial assembly. Whatever else Englishmen thought, in political science, they were not likely to submit to taxation except by some sort of constitutional assembly that in some way stood for the tax-payers. The Virginia Assembly was re-established.

The controversy which was thus begun—which did not end until 1783—centred upon the question, How free was the colonial assembly in general matters of legislation? The principles eventually worked out will appear in Chapter VI. As to the initial impulses, they manifested themselves around the Chesapeake, first of all in a controversy between Crown and people over the tobacco monopoly (page 57). The Crown wished to apply thoroughgoing mercantilist principles (page 36), while the colonial planters promptly began to develop a different point of view. These hard-headed English colonials were quick to see that in no respect is government a more potent force than in its power to invade a man's every-day life through affecting the value of the product of his labor. They besought the Privy Council to make no regulations touching the royal monopoly of tobacco without their consent (1627). The assembly attempted to negotiate with the King to fix the price of the crop as Virginia, not London, thought best (1627). An unwise governor, John Harvey, who attempted to ignore the claim of the assembly that it alone could lay taxes, hastened an inevitable crisis through a bitter dispute with the assembly over the Crown's tobacco policy. The untamable impulses of these transplanted—and thus liberated—Englishmen broke out in a high-handed procedure (1635), seizing the governor and shipping him back to England.

Though the King, Charles I, insisted on sending Harvey back to Virginia, this action was somewhat in the nature of a "gesture." Harvey was soon replaced by a more acceptable governor. Shortly thereafter, while difficulties were gathering thick around Charles at home, he thought it best to concede to the Virginia Assembly the

legislative rights it claimed (1641). The tobacco controversy was allowed to lapse.

While the Virginians were playing out their game of self-determination the other colonials of the Chesapeake were expressing similar impulses. Whatever the source of the determination to have a representative assembly, it was germinating in the English consciousness. But little, if any, allowance for it was made in the grant of Maryland (page 57). Lord Baltimore's colony was to be a feudal dependency of the Crown of England; the model was the Earldom-Bishopric of Durham, the most complete instance of a feudal barony remaining in England. Lord Baltimore, as hereditary Lord Proprietor of the colony, was to have and exercise the functions practically of a sovereign prince, paying to his overlord, the King of England, two Indian arrows yearly, and one-fifth of any gold and silver that might be mined in the colony.

In the general folk-movement of the day, Maryland has significance for two reasons: (1) Again, its experience reveals the general truth that all the English colonies, in one way or another, were movements of dissent. Baltimore was a Roman Catholic. England was violently Protestant. Catholics were excluded from office through being required to take the oath of supremacy which included the renunciation of the authority of the Pope. Shut off from politics, the father of Baltimore had turned to colonization and laid the plans which his son carried out. Both the Baltimores aimed to make their principality a refuge for their co-religionists. Catholics did not take advantage of this opportunity as freely as might have been expected. From the start, Maryland had a mixed population and the proprietor took the ground that he was the protector of various faiths. His instruction to his brother, the first governor, directed him to see that "no offence be given to any of the Protestants . . . all acts of the Roman Catholic religion to be done as privately as may be . . . and that the Governor . . . treat the Protestants with as much mildness and favor as justice will permit."

(2) The other significance of Maryland involves the one provision in the grant to Baltimore which smacked of new thought. The proprietor in making laws was to have the assent of the free-men of the colony. Baltimore began by assuming that this meant they were merely to say yes or no to laws which he proposed. The

colonists promptly made plain that they were responsive to the same leaven which was working everywhere among the English outgoers. Of their own motion they held an assembly, drew up a code of laws and submitted it to their proprietor (1635). This was in the same year in which the Virginians deposed Harvey. There is a curious similarity in the ensuing course of King and proprietor. Like the King, Baltimore at first stood firm, but before long gave way. Having refused to accept the laws of the self-constituted assembly, he followed this up by sending over a code of his own (1638). The colonists gave him tit for tat by throwing it back upon his hands. Thereupon, he thought better of it—just about when Charles was thinking better of it—and presently admitted to himself that something was going forward among these Englishmen of the wilderness that it was useless to oppose. He conceded to the colonists the whole burden of initiating legislation, retaining to himself only the power to veto.

The passions that brought on the Civil War in England were now let loose in the Chesapeake country. There was bitter local jealousy—for many Virginians had resented the amputation of Maryland from the body of their own colony—there was strong religious feeling between Catholic and Protestant, equally strong feeling between King's men and Parliament men. Most of the Catholics were royalists while the Protestants were divided, Anglicans for the King, Puritans for Parliament. During the period of the war neither King nor Parliament had much authority on the Chesapeake. Shortly before hostilities began, Sir William Berkeley, the new governor of Virginia, banished from the colony the few Puritan clergy that were within its borders. Baltimore, on the other hand, attempted to stand neutral, inviting the Puritans to seek refuge in his colony. One of the sad ironies of history is the failure of this generous policy. A little civil war—the first in America—was an echo of the great war in England. It comprised a series of clashes in Maryland between Puritans and Royalists. In a desperate effort to compose the fierce individualism that was running rampant in America, Baltimore made a double stroke. He appointed a Protestant, William Stone, governor of the colony. He sent over for adoption by the assembly the now famous Act of Toleration (1649). By adopting this Act the assembly guaranteed freedom of religion

to all sorts of trinitarian Christians—though Jews and Unitarians were left without the pale.

Unedifying as are these furious quarrels over religion, they contribute to explain the self-dependence of this first chapter of Chesapeake history. The years closely following the Civil War have a similar significance. It was at this time that Virginia took her turn being a colony of dissent. When, after the victory of the Parliament, commissioners were dispatched to settle affairs on the Chesapeake, they found Maryland, despite the Act of Toleration, still bitterly divided, and Virginia insistent that Parliament had no authority within her borders. But the commissioners were backed by a fleet and the Virginians had to submit. Nevertheless, the commissioners, and later Cromwell when Lord Protector, wisely left them to their own devices. So it was that Virginia became a refuge of the partisans of the fallen King—again, a movement of dissent—and continued to be this until at last it acquired the label, “the Cavalier colony.”

In Maryland, the quarrels between Catholics and Protestants caused another civil war. The government was seized by the Protestants; the colony seemed lost to Baltimore, when Cromwell put forth his strong hand in the interests of moderation and fair play. The Maryland war was brought to an end and Baltimore restored to power with the Act of Toleration in force.

(4) *The Republics of New England*

If Virginia illustrated the influence of the company-republic, Plymouth illustrated the influence of Geneva. The little group of Calvinistic exiles who lived so long in Holland formed there a tiny state within the state—for all the world like an early Christian congregation in a city of the empire—managing their own affairs, and settling their disputes among themselves, by the voice of the majority. Holland, with her burgher civilization, must have strengthened their belief that such a mode of government was the common-sense one. And so they reasoned, December, 1620, when in the cabin of the *Mayflower* every man of the migration put his signature to that *Mayflower* Compact now so famous—a common-sense agreement among men of free traditions who knew how to accept the majority as the practical arbiter for the settlement of disputes

and for the enactment of regulations in the conduct of communal affairs.

That meeting in the cabin was also the election of John Carver as the first governor of Plymouth colony—Plymouth republic, for all intent and purposes, though its compact began with a recognition of the authority of "our sovereign Lord, King James."

The next English experiment takes us back again to the company-republic. It was a stockholders' concern, with full machinery of "courts"—that is, assemblies—officers, membership obtainable only in specified ways, majority rule by qualified members, that agreed with Winthrop to transport itself and its powers, and land titles to America (page 60). Owning a certain tract of land, this company-republic at a word converted itself into a commonwealth by merely settling upon its land and recognizing its members as qualified voters, its General Court as the legislature of a colony. It limited membership as it pleased. To make sure that its Puritan purpose was not undermined, a freeman of the commonwealth was presently required (1638) to be a member of the new church organization which separated itself from the Church of England and became the Church of Massachusetts. People whom the commonwealth allowed to settle within its boundaries but who were not of the new communion were non-citizens. An oligarchy, rather than a republic. But it illustrated the three cardinal features of that day in the colonies: it was a movement of dissent; it came into opposition to the home government; and it contained an assembly.

As the colony grew and local government became imperative in its subdivisions, the town meeting was developed. It differed little from the general meeting of the stockholders of a company—even if it did reincarnate ancient Teutonic instincts, or more modestly form a reminiscence of the old English town or parish. It was merely the assembly of the qualified proprietors of the town—whatever the qualifications might be—who expressed their corporate will through majority vote. And what Englishman familiar with the House of Commons—no matter whether he had ever been represented in it or not—needed any instruction what to do, when the growth of population made it impossible for all the freemen of the colony to assemble together. The General Court became a representative body composed of delegates from the various towns

(1634). A later chapter (VI) will describe these spontaneous colonial institutions when they had become fully defined. The significant point is their working out of the representative principle as traditional common-sense in government.

The experience, either of Plymouth or Massachusetts, was paralleled in all those New England communities that were established after 1630—that group of unauthorized settlements which grew up around Narragansett Bay (page 61); the towns that were formed spontaneously north of the Merrimac (page 61); the towns on the Connecticut which were as spontaneous folk movements as ever existed, which formed their own miniature governments purely upon their own notions of what was what—very much the notion that Plymouth had—and that drew up their Fundamental Orders of Connecticut (page 62) to be the constitution of their little informal confederacy, without by-your-leave to King or Parliament. New Haven (page 62), which was long a separate colony, was so sternly self-contained that it elected to sweep aside even the legal traditions of its members and set up an ideal law code founded on the Bible.

Not one of these experiments but began in dissent of some sort. And this prevailing tone of individual assertion was further emphasized by the religious movements that promptly sprang up in their midst. In Massachusetts the emigrating dissenters very promptly became rigid conformists. Nevertheless, their experience illustrated the law that any great movement for freedom widens gradually from the concrete to the general. It is the principle which reformers evoke, not their own purpose, that finally becomes their contribution. Massachusetts, aiming consciously to liberate herself from the King's control, tried in vain to set a thus-far-and-no-farther in the application of the principle she had herself evoked. The result was to arouse still more intense dissent in some of her own most-gifted members. The instance of Ann Hutchinson has become an American classic. A brilliant, fearless woman, she had no intention of letting a line be drawn beyond which religious questioning might not go. The harshness of the new oligarchy, silencing this bold spirit and driving her from the colony without fair trial, is evidence that in crossing the Atlantic and changing his religion the seventeenth-century leopard did not instantaneously change his

spots. A long way was still to go before "new presbyter" in Milton's immortal phrase, should cease to be "old priest writ large." It was in unconscious anticipation of such a time that several little settlements of liberal Puritans were formed in the wilderness and peopled by believers in the new dissent voiced by Ann Hutchinson.

And Roger Williams—who today does not know that noble story! Minister of Salem, Puritan of Puritans, the spirit moved him to demand "soul liberty"—that is, freedom of conscience—for all men. To escape punishment at the hands of the oligarchy he fled alone into the wilderness (1634). A winter in the lodges of friendly Indians, and then Williams founded Providence. Other settlements of dissenters on the shores of Narragansett Bay were eventually drawn together by Williams under the protection of the Long Parliament as the colony of Rhode Island (1647).

It was in the Narragansett country that Ann Hutchinson also found her last refuge, and there her tragic career ended in murder by the Indians.

Rhode Island vied with Maryland in establishing "soul liberty" in America. More fortunate than Maryland, she resisted all attempts to undermine her position and stood fast, the unconquered spiritual republic, to the end.

In the midst of these internal storms, Massachusetts had passed through great anxieties with regard to the Crown. The Puritan leaders had banished enemies for other than religious and constitutional reasons. Some of these, like Samuel Maverick, had been on the ground before the Puritans came and their expulsion was of very doubtful justification. More defensible, though with lamentable results, was the expulsion of a jolly rogue named Morton, who perhaps is entitled to first place in the long list of those adventurers who have come to America to find here perfect opportunity to be rascals. His settlement at Merrymount, composed of traders and Indians, was a nest of debauchery.

But Morton was a clever scamp, and when he was sent to England in irons, was able to spread reports about the colony which made no mention of the facts of his own case. The partisan rule of the Puritan leaders gave sufficient color to his tales of Puritan persecution. The King was eager to get control of the colony, and in the memorable year 1634 it was known at Boston that a royal summons to give up

the Massachusetts charter and repeat the experience of Virginia (page 75) might at any moment arrive. Then occurred the first square defiance of royal power by the Americans. The General Court ordered fortifications for Boston harbor and prepared for war (1634). Affairs in England delayed a crisis, and when at last the surrender of the charter was demanded, on behalf of a Royal Commission headed by Archbishop Laud, the General Court flatly refused to obey (1638).

The royal power at home was tottering, and before Charles could join issue with Massachusetts, the great Civil War began (1642). Now occurred the boldest expression of virtual independence made by any colony in the seventeenth century. While Crown and Parliament each had its hands full fighting the other, four colonies—Massachusetts, Plymouth, Connecticut, and New Haven—quietly assumed the rôle of independent states and associated themselves as the United Colonies of New England. The immediate spur to this result was the recent Pequot War (page 62) and the fear that the Dutch might also take advantage of the Civil War and seize the Connecticut Valley. Maine was not admitted to the Union because it was Anglican.¹ Rhode Island was excluded because it was heretical.

The model of this orthodox league was the federation of the Dutch Republic. Each of the four colonies appointed two members of a board of commissioners who were to meet annually and discuss the welfare of the confederation and recommend policies to their various governments.

Though never recognized by the Crown, this union was the beginning of the history of federal government in America. And like another federation long afterward, it split on a question of State Rights, complicated by a question of representation. Though the constituent colonies were equal on the board of commissioners, they were to raise forces in case of war in proportion to their population.

Stuyvesant's negotiations at Hartford (page 64) were carried

¹ The little proprietary colony of Maine was granted to Sir Ferdinando Gorges in 1639. Gorges had an old claim to the land which was afterward granted—no one knows why—to the Massachusetts Company. He tried in vain to have the company's charter recalled by Laud's commission. Maine appears to have been given to him by way of compensation.

on with the United Colonies. The treaty there drawn up was not ratified by England. When the First Dutch War broke out (1652) the commissioners voted to raise an army of 500 men, to be levied according to population. Massachusetts was called upon to provide two-thirds. But Massachusetts did not want the war and was determined not to take part. She formulated the doctrine of nullification, bluntly asserting her right to accept or reject the confederate policy as she saw fit. This brought the war policy to naught. It was also the virtual breakdown of the Confederation. Though it lasted another generation and was not without usefulness, it had too little real support thereafter to play a part in the strenuous events of the second half of the century.

Even in the formation of the United Colonies the assertion of political self-sufficiency by the New England Puritans had not reached its climax. When the Long Parliament overthrew the King it attempted to seize all his powers. Massachusetts was commanded to surrender its charter and receive a substitute from Parliament (1651). The colony replied with a skillful memorial evading the demand. A silver coinage which it now issued (1652) contained no suggestion that it was not an independent state. When Cromwell overthrew the Commonwealth (1653) Massachusetts continued her policy of skillful evasion. The Lord Protector, as astute as he was bold, had the English genius for knowing when to compromise, and did not force the issue.

(5) *Dutch Constitutionalism*

In all these complicated affairs, accident played no small part, helping the English colonies to achieve their destiny. The fact that England throughout this half century was divided against itself, while France was at one with itself, was part of the clew on the one hand to the relative freedom of the English colonies from steady supervision, on the other hand to the completeness with which the French colonies were kept in hand by the Crown. A middle course was followed by Holland. The most illustrious republic of her day, she illustrated the sad truth that republics are as liable as any other sort of government to be autocratic in their dependencies. New Netherland was not a copy of the Dutch Republic. In the early

days the colony was dominated by a governor and council with absolute power except so far as they were restrained from Amsterdam. Partially withdrawn from their jurisdiction were the feudal principalities of the patroons along the Hudson (page 63), where the local prince had mediæval power, civil, criminal, and commercial.

With Stuyvesant (1647) came a change. The colony was in a dangerous mood. No less than on the Chesapeake and in New England the instincts of the North European peoples asserted themselves when transplanted to the Hudson and given elbow room. A demand for popular government led to a compromise. A board of nine men was selected by the governor from a group of eighteen chosen by the people. But it was not much of a compromise after all, for the board was to be virtually self-perpetuating. There were angry contentions with the governor, demands for some sort of government really popular, and then Adrian Van der Donck, in the people's name, posted off to Holland with their grievances (1649). Little came of it except the granting of municipal privileges to New Amsterdam—but with officers appointed by the governor.

There was now a considerable proportion of English emigrants in the population of New Netherland. During the First Dutch War between England and Holland (1652-54) these emigrants were loyal to their adopted country. Their traditions and instincts made them natural members of the liberal party. Their leader, George Baxter, was the central figure in a convention (1653) which Stuyvesant permitted for the purpose of organizing defense. Baxter led the convention into demanding popular government, because they had transformed "with immense labor and at their own expense a wilderness of woods into a few small villages and cultivated farms." Stuyvesant's answer is a classic. "If the nomination and election of magistrates were to be left to the populace, who were the most interested, then each would vote for one of his own stamp—the thief for a thief; the rogue, the tippler, the smuggler, for a brother in iniquity, that he might enjoy the greater latitude in his vices and frauds." That was the end of the matter for many a year to come—until after the English conquest, when James II as Duke of York made a brief concession, only to recall it as soon as he became King (page 91).

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CHAPTER IV

ORGANIZING ENGLISH AMERICA

THE half century during which four blocks of colonization were established in North America was characterized by excessively simple living in the colonies and by steadily increasing political confusion in England. Consequently, while the colonists gave their chief attention to the elemental problems of self-preservation in a new environment, the Crown of England did little by way of keeping its hold upon them. As we have seen, outside the one royal province of Virginia, the attempts of the Crown to take a hand in American affairs were, previous to the Civil War, futile. In the confusion following the Civil War the colonies for several years were in fact self-governing little states minding their own affairs, with only vague dependence upon the English government. And then came the Restoration. After thirty years of turmoil and bitter political division, England, weary of controversy, fell back upon the old monarchical system adapted to a new day, and Charles II was crowned King. For the first time the Crown of England turned to colonial affairs with the power of a united kingdom at its back. Then followed suddenly a renewal of interest in the colonies. The stream of emigration that had run slow since 1640 began to flow in renewed volume. The ensuing period from 1660 to 1688 may be comprehended most promptly by tracing out successively four topics: (1) Application to colonial affairs of the orthodox political economy of that day, mercantilism; (2) the Dutch Wars which were its direct outcome; (3) the territorial expansion producing the new colonies of Charles II; (4) efforts to extend the power of the Crown in the colonies.

(1) Mercantilism and the Colonies

Every nation in the seventeenth century was in the grip, intellectually, of the economic theory known as mercantilism. It was held religiously by the English merchant class, who had exerted great influence in the brief period of the triumph of the Parliament.

It lay back of the most notable enactment of the commonwealth concerning the colonies. A Navigation Ordinance (1651) expressed two items of the mercantile creed—the belief that the true purpose of government commercially was to destroy rivals, by fair means or foul; and the desire to keep the trade of the colonies in the hands of the home nation. This ordinance was aimed in large part at England's commercial rival, Holland, by which a great part of the carrying trade of the world was then conducted. Trade war between the two republics quickly became actual war (1652–53) and threatened to extend to the colonies. A change of policy on the part of Cromwell, now Lord Protector, brought this First Dutch War to a close, and postponed the struggle between England and Holland in America, while Cromwell turned his attention to the West Indies and wrested Jamaica from Spain.

The return of Charles II made no break in the tradition of English commercial policy. The new King was far too shrewd not to make friends with that merchant class that had been growing in power in England ever since Elizabeth. The economic philosophy of the merchants was based on the belief that specie was the only real wealth; to sell more than they bought and to have the difference in coin, was their ideal of national prosperity; colonies existed to supply the mother country with raw materials and to afford markets for its manufactures; as to the rest of the world, the mercantile aim was to secure for one's own country access to as many markets as possible while closing them as far as possible to its rivals, either by competition or by war, and in those outer markets to apply the cardinal doctrine of selling more than they bought. This philosophy which was interwoven with all of the Crown's colonial policy, which underlay a whole series of cut-throat wars between England and Holland, is the clew to a great deal of the history of the seventeenth and eighteenth centuries.

In 1660 a Navigation Act reaffirmed the policy of the Ordinance of 1651. It struck at the Dutch carriers by restricting the colonial trade, both export and import, to ships of England, Ireland, and the colonies. It also struck at another source of Dutch prosperity. Amsterdam was one of the greatest marts in the world. Her merchants reaped a rich harvest as middlemen. To deprive them of the profit they made by reselling in England the goods of other

countries, the Act required English shippers importing foreign goods to bring them direct from the place where they were produced. Furthermore, certain enumerated colonial products, such as sugar, indigo, and tobacco, were not to be shipped direct to any foreign port but were to pass through some British port outside the colony that produced them.

The Act of 1660 proved inadequate to its purpose, because while crippling the rival commerce of Holland and limiting colonial trade, it did not entirely protect the English merchants. British ships carrying foreign products might trade direct from foreign ports to colonial ports. Foreign merchants, through paying toll to the British carriers, were still able to ship their goods direct to the colonial markets and thus acquire some of that specie about which the mercantilists were so deeply concerned. To make the Navigation Laws more orthodox as mercantilism, a Second Act was passed (1663) prohibiting, with few exceptions, the importation into the colonies of any goods not loaded in England, in English or Irish or colonial ships.

But even thus the mercantilists were not entirely satisfied. Another fault in the orthodoxy of the Navigation Laws was soon discovered. They did not prevent the colonies from trading with each other. To the mercantilist mind the empire, commercially speaking, should form a wheel—England the hub, with all trade radiating from it and returning to it along the spokes. Criss-cross trade and trade around the circumference were to be reduced to the minimum. Partly to take another step toward realizing this theory, partly to provide for stricter enforcement of the laws, a Third Navigation Act (1672) provided that every shipmaster taking aboard in the colonies "enumerated products" must give bond to deliver them in England or immediately pay duties. Thus a sort of protective tariff was set up to prevent direct trade between colonies. By way of putting all this commercial legislation into effect, various administrative organs were eventually combined (1674) in the Committee for Trade and Plantations of the Privy Council frequently known as the Lords of Trade. We shall see presently that the reorganization of this committee as the Board of Trade, by King William III, was the crowning event of the royal colonial policy of the seventeenth century.

(2) The Dutch Wars

We are now traversing the period of what English historians know as the Dutch Wars, which began as an outcome of the original Navigation Ordinance and did not close until after the third of the Navigation Acts of Charles II. The second of these Dutch Wars has immeasurable significance to Americans. It came close upon the heels of the Second Navigation Act. That George Baxter who was in opposition to Stuyvesant (page 84) had been expelled from New Netherland for attempting an insurrection of the English settlers. He had gone to England and was now laboring to convince the advisers of Charles II, that the seizure of New Netherland would be a great stroke of policy, partly to prevent the Dutch from trading surreptitiously with the English colonies, partly to get control of the Gate-country and the fur trade. A new bone of contention between England and Holland had recently been found. The African slave trade, supplying the Spanish and Portuguese colonies, was in the hands of the Dutch and was immensely profitable. English merchants yearned for a share in it. There was also a new demand for slaves in England's American and West Indian colonies. To break into the slave trade there had been formed the "Company of Royal Adventurers Trading to Africa" (1663). A royal squadron was sent to the African coast to protect the company's ships against its Dutch rivals. Unacknowledged naval war resulted. Ships were seized by the admirals of both nations.

Acknowledged war was opened by a surprise attack on New Netherland. Stuyvesant, still the director-general, had striven hard to put New Netherland in a good posture for defense. Apparently, about the only result was to make himself unpopular in New Amsterdam, where the population was already cosmopolitan, where loyalty to Holland was not universal. When an English fleet with an army commanded by Richard Nicholls appeared before the city and demanded its surrender, a popular uprising forced Stuyvesant to consent, though his own impulse was to defy the invaders and die fighting. The English flag was raised over New Amsterdam September 6, 1664.

Peace was established, though only briefly, by the treaty of Breda (1667). Each side was confirmed in conquests made during the

war, while England gained her coveted share in the slave trade.

Though another Dutch War broke out a few years later, in the midst of which Charles' Third Navigation Act was passed, and though Holland briefly reoccupied New Amsterdam, the peace that came in February, 1674, restored it to the English. A turning point had been reached in American history. One of the rivals of the Atlantic coast had dropped out of the race. The English blocks of colonization were no longer isolated one from the other; a single government controlled the eastern seaboard, inheriting Holland's relation to the Iroquois and to the fur trade, and her control of the precious Gate-country.

(3) New Colonies of Charles II

While serving the ends of the mercantilists and engineering the bold stroke of expansion which gave England a solid colonial front along the Atlantic, Charles had had an eye to the main chance and had richly rewarded his followers. The old royalist party—soon to break up into new parties with new purposes—was composed in 1660 pretty generally of impoverished gentlemen who had given most if not all their fortunes to the King's cause in the days of the Civil War. To rebuild their prosperity was from the politician's point of view an imperative obligation of the restored Crown. Charles met the obligation in various ways. One of them added another region to the map of the American colonies. Eight Lords and gentlemen were created joint proprietors of the province of Carolina. Chief among them were Edward Hyde, Earl of Clarendon, and Anthony, Lord Ashley, afterward Earl of Shaftesbury. It was in their grant that the King so kindly included the better part of Spanish Florida (page 39). He gave them in successive charters (1663, 1665) all America from sea to sea between the parallels of 36° 30' and 29°.

The broad, deep, slow-moving Carolina rivers with their amazingly fertile banks were luxuriantly opportune for the purposes of settlement. Even before the Carolina grant, roving Virginians had settled on Chowan River and Albemarle Sound (1653). Colonists sent over by the proprietaries began a movement up the Cape Fear River (1665). Later colonists took possession of a noble harbor

formed by the junction of two rivers which they named Ashley and Cooper. Here Charles Town was planted (1670). Penetration by means of watercourses drew thin red lines of British settlement along all the Carolina rivers precisely as it had already drawn them along the rivers of the Chesapeake.

The great figure of John Locke, one of the most potent influences in the mental founding of our country, touches us directly in his work as secretary to the Earl of Shaftesbury, and later as an official of the Board of Trade (page 102). It was Locke who drew up the "Fundamental Constitutions" which Shaftesbury and his associates thought to impose on Carolina as its basic law. Both of these great liberals—the philosopher, so high above reproach; the politician, so far-sighted and yet so faulty—were strangely inconsistent at this moment of their development. Locke drew up and Ashley authorized a complicated system of feudal government that was too absurdly cumbersome to be put into practice. Here, as in Maryland, the settlers took the matter into their own hands, set up an assembly, and the proprietaries acquiesced.

Nevertheless, in that queer feudal survival, the Fundamental Constitutions, was embedded one of the great provisions of seventeenth-century legislation—if any nine people in Carolina joined together and described themselves as a church, the government of the province would recognize them as a church, and protect them in the observance of their religion. Though the colony in origin was as little of a movement of dissent as was any, it quickly became a refuge for dissenters. The Huguenots of France, directly the Edict of Nantes had been revoked (page 68), turned their faces to other countries. Many sought America. All along the Atlantic Coast little groups of these exiles for conscience's sake added new elements of dissent, became further witnesses to the bent of America toward individual liberty. To no colony did they go in greater force than to Carolina.

A still more splendid grant was made by Charles to his brother, James, Duke of York, who was to write his name upon English and American history in such darkly indelible letters as James the Second. Before the English fleet set sail for its attack on New Amsterdam, Charles, reviving the British claim to central North America, issued a patent to his brother conferring upon him as

Proprietor the whole of New Netherland. The duke divided his prospective conquest in two, retaining the Hudson valley to form the colony of New York, while granting the lower country east of the Delaware to Sir William Carteret and Lord Berkeley, who shortly after formed it into the colonies of East and West New Jersey.¹ The area claimed by Holland west of the Delaware was left for a time indeterminate.

Meanwhile the new sect of the Quakers had appeared in England—another item in that tidal wave of dissent that was setting out of the northern nations toward America.



EARLY SETTLEMENTS IN THE
MIDDLE COLONIES

The first move of Quakers toward an American colony was the purchase of a portion of New Jersey. Berkeley and Carteret had divided their possessions between them, Berkeley taking West Jersey, Carteret East. A Quaker syndicate purchased West Jersey (1674). Soon afterward another group of Quakers bought out the heirs of Carteret and became proprietors of East Jersey (1682). Both of these colonies were given free institution by their Quaker

proprietors—almost, it would seem, as a matter of course. The Quakers had gone farther toward modern democracy than any other people of the seventeenth century.

In both the Jerseys, William Penn was a proprietor. The heir to a fortune, he was early converted to Quakerism, and suffered more than one term of imprisonment for speaking at Quaker meetings. His book, *The Whole Case for Toleration*, was written in prison. Before 1680, Penn had taken his place among the great English liberals of that amazing century—with Milton, Harrington, Algernon Sidney, Locke.

¹ This odd name—legally “Nova Caesarea”—commemorated Cartaret’s administration as governor of the island of Jersey.

Penn had become possessed by two ideas—that the virtual republicanism which these men were fostering was the only sensible form of government and that there should be no bounds of nationality in selecting the citizens for the American republics that were to be. Twice he visited Germany. He made few converts to his religion, but came into contact with several groups of dissatisfied Protestants who were eager to find asylums outside Germany. Penn did not fail to apply his theory, and to offer co-operation to all peoples seeking freedom of conscience. A notable group was at Frankfort. There a gifted woman, Joanna von Merlau, and the scholarly divine, Franz Daniel Pastorius, were leading figures in promoting the Frankfort Land Company, that subsequently financed an emigration to Pennsylvania led by Pastorius.

Penn maintained an agent at Amsterdam. In Germany, Holland, England, Wales, Ireland, he sought for brave, simple, pious folk, whatever their creed, who desired a refuge in America. Just why he applied when he did for a new royal grant is not clear. Possibly the failure, shortly before, of the attempt of the English Liberals to put Algernon Sidney into Parliament—he was elected but the election was quashed by royal order—may have discouraged Penn. He had ardently supported Sidney. Be that as it may, he held an old claim upon the Crown for £15,000 loaned by his father; he succeeded in having this claim paid off by the grant of a proprietary colony. Like most grants in those days of uncertain geography, Penn's was ill-defined and gave rise eventually to much litigation. But it covered at least the present state of Pennsylvania. A year later he also acquired from the Duke of York, Delaware, that is, New Sweden.

Penn sailed for America in the ship *Welcome* in 1682. The great territory granted him contained a sprinkling of settlers—Swedish, Dutch, English—who hitherto had been subject to the governor of New York. These were now subject to Penn. Before sailing, he sent letters to them saying, "I hope you will not be troubled at the change and at the King's choice; for you are now fixed at the mercy of no governor who comes to make a fortune. You shall be governed by laws of your own making. . . ."

His first landing was at Newcastle (October 27), where the tiny settlement acknowledged him as its feudal lord. He went on to

the site of Philadelphia (November 8) and laid out his city with broad streets on the rectilinear plan that was to prove so popular in later America.

None among the founders of our country had a clearer vision of what it was to be than had William Penn. In a way his undertaking was a fusion of the distinctive motives of the earlier settlers. Republicanism, toleration, a new social-political purpose, loyalty to a new ideal, all these, and the types of people capable of realizing all these, formed altogether Penn's vision of a new birth out of Europe, the fruit of infinite suffering, which was to reach maturity in America.

All those lofty ideas were intimated in the "Frame of Government" which he had drawn up in England as the temporary constitution of his colony. Within two months of his arrival he called upon the settlers to elect an assembly and pass upon the Frame of Government. Most of its provisions were accepted by vote.

But there were objections. Then Penn ordered another election and in March, 1682, asked a new assembly whether they desired alteration in the Frame of Government. They replied unanimously that they did. Penn consented to a "new charter" for Pennsylvania. All the functions of government were vested in representatives of the people, though the proprietor retained a veto upon colonial legislation. Especial care was taken to secure freedom of conscience. Penn thought of his colony as a Holy Experiment in virtual democracy. He thought that "governments, like clocks, go from the motion men give them; and as governments are made by men, so by them they are ruined too. Wherefore governments rather depend on men than men depend upon governments."

(4) Extension of Royal Power

The new colonies planted during the reign of Charles II are on the edge, so to speak, of the history of the time. Their significance comes later. They are very slightly connected with the great events in which his reign closed which are the climax of our period of the foundations. These events come under the fourth topic, the attempt to increase the royal power in America.

We go back to the first year of his reign. Naturally, there was

no love lost between the son of Charles I and that powerful colony that had defied his father in 1634; or between the new King and those self-willed little republics that had established themselves without leave in the wilderness, and were controlled by Puritans. With regard to the latter, however, he played an adroit part—perhaps with a view to isolating Massachusetts. They promptly played into his hand. Connecticut sent over the younger Winthrop, who was graciously received and whose efforts were presently rewarded by the grant of a charter (1662). The Stuart principle of favoritism was illustrated by the wily King when he included in Connecticut those settlements that centred at New Haven. At the same time he forecast his Dutch policy by ignoring the existence of New Netherland and extending the territory of Connecticut to the South Sea—a grant which he coolly forgot, two years later, in the interests of the Duke of York.

Rhode Island had also lost no time making peace with the victor. By way of clearing her record of parliamentary affiliation (page 81) Rhode Island made haste to proclaim Charles as King and to petition for a royal charter. It was speedily granted. In both Connecticut and Rhode Island, Charles displayed his famous tact. He confirmed them in possession of the institutions they had themselves devised. Each of these new states retained the privilege of electing its governor as well as its assembly.

With Massachusetts the King took a sharply different course. A royal commission of inquiry was sent over (1664). The colony was taken to task for withholding the suffrage from members of the Church of England. It replied by changing the letter of the law but still requiring the approbation of the Puritan clergy as a condition of voting. When the royal commissioners attempted to sit as a court of appeals superior to the courts of the colony, they met a flat denial of their authority and the assertion of all but independent political power under the charter. The commissioners went home in a rage (1665).

The pressure of European difficulties kept Charles from having it out with Massachusetts immediately. The next ten years form an interval in the relations of the Crown with New England. For one reason or another Charles, most of the time, allowed American affairs to drift. Once more it was only in the royal province,

Virginia, that the power of the Crown was felt. There it found expression through the activities of the royal governor, that uncompromising old royalist, Sir William Berkeley, who had been governor under Charles I. Except that Berkeley was bold and blunt while Charles II was sly and tactful, he was in politics a provincial edition of the King. He learned from Charles how to keep an assembly in office as long as he needed it. Just as England in the first flush of the Restoration had elected a Cavalier Parliament enthusiastic for the King, so Virginia at the same time had elected an enthusiastic royalist assembly. Charles contrived to keep the "Cavalier Parliament" in office seventeen years; Berkeley kept the Virginia Assembly in office fourteen years. By various means, including bribery, he made the assembly his tool—again successfully imitating the King. With the assembly in his hands he built up an effective political machine, distributing patronage to a small ring of wealthy planters and reducing the apparent freedom of the colony to a sham. The poorer colonists were excluded from the suffrage through a property qualification. The poll tax was the basis of revenue, and therefore the poor paid as heavily as the rich.

A rebellion against this corrupt régime was led by a brilliant young planter, Nathaniel Bacon. The immediate cause was Berkeley's failure to take adequate measures in the face of Indian invasion. Bacon raised a volunteer army in spite of Berkeley's refusal to authorize him to do so; defeated the Indians; waged a miniature civil war with the governor; and burned Jamestown. His sudden death in a fever was followed by a swift recovery of power by Berkeley. The "rebellion" melted away, while thirteen of its leaders were hanged.

Severity of this sort was no part of Charles's plan. Berkeley was removed from office and died in disgrace. But his policy was not abandoned. It culminated in the arbitrary rule of Lord Howard as governor (1684), whose achievements were part of the infamous reign of James II.

Both north and south, in the colonies, the spiritual air was becoming charged with a grim temper. While Bacon was fighting the Indians in Virginia, one of the most terrible of Indian Wars broke out in New England. The fertile parts of the coast and the lower valleys of the rivers were now pretty well settled from the Con-

necticut to the Penobscot. The population was in the neighborhood of 50,000. But all along the border of the occupied lands powerful Indian tribes still held their own. Their relations with the whites had generally been friendly. John Eliot, the famous "apostle to the Indians," had converted many to Christianity. The whites had purchased their lands from the Indians. But it seems quite plain that the Indians never fully understood what the sale of land to an actual settler really signified. The spread of towns and farms meant the ruin of hunting grounds. A fierce determination to save the hunting grounds inspired a semi-educated Indian, Philip, "king," or chief, of the Wamponoags, to organize the war which bears his name. The Indian attack came without warning (1675) and was followed by a sickening orgy of burning, torture, and massacre, culminating in the storming of the stronghold of the Narragansett tribe in the December snows of 1675. A tenth of New England's men had perished.

To a New England, sternly vindictive, the year following King Philip's War, came Edward Randolph, commissioned by the King to examine narrowly into the affairs of Massachusetts. Randolph showed his hand by complaining to the governor that the Navigation Acts were being willfully evaded. At another time he might have been met diplomatically. But the tense mood of the moment was not favorable to finesse. The colonial authorities did not hesitate to assert that no Act of Parliament was binding in Massachusetts unless re-enacted by the colonial assembly. But they were not prepared to defy the King, whose revenues were being seriously cut because of the freedom of trade permitted in Massachusetts. A colonial law was passed enforcing the Navigation Acts (1677).

The next stage in this duel between the Crown and Massachusetts was a victory for the Crown. During the troubled day of the Commonwealth, Massachusetts had extended her dominion over those settlements above the Merrimac which formed in theory the proprietary provinces of New Hampshire and Maine. The latter she was now able to retain through purchasing the interests of the heirs of Gorges (1678), but in New Hampshire, Charles forced Massachusetts to give way. The King immediately appropriated the region and presented himself with a second royal province—New Hampshire (1679).

Randolph was now at Boston as collector of customs. He might also be described as special agent to the Lords of Trade (page 88). Two movements were going forward in England both of which spelled revolution, or transformation, in America. While the King with consummate subtlety was playing a deep game for the recovery of absolutism, the commercial interests were intent upon completing the destruction of their rival, Holland. A great opportunity for the King lay in his control of colonies outside the jurisdiction of Parliament (page 74). An opportunity for the merchants lay in the actual exclusion of all rivals from the American markets. The King's chief objective in America was the abolition of colonial self-government; the objective of the merchants was the termination of an almost insolent disregard by Americans of the Navigation Acts. The two interests, royal and mercantile, jumped together. The Lords of Trade were cudgelling their wits how most effectively to tie up these interests in one comprehensive scheme of American administration.

In the early eighties Charles made some bold strokes in England. He attacked the liberties of the towns—where, a generation earlier, was located much of the most stubborn liberalism of the kingdom—and by means of legal technicalities in courts dominated by royal influence he deprived London itself of its municipal charter (1683). This brought about a decision of the Court of Chancery declaring forfeited the charter of Massachusetts (1689).

The death of Charles and the accession of James II aggravated the situation. Charles had redeeming features; James had none. Charles was at least a cheerful and humane soul who was personally kind. James was a gloomy bigot. He lacked entirely Charles's instinct for moderation, for conciliation, for finesse. Schemes that might have had a chance if delicately manipulated had no chance when directed by the harsh bluntness of the new King.

James entered upon his reign in bad humor with his own proprietary colony of New York. The population had renewed its clamor for a representative assembly. When Nicholls took possession of the colony he enlisted the populace on the side of the new government by promising them the rights of Englishmen. There was no clear definition what these rights, so far as they concerned Englishmen in colonies, legally were. But Americans were beginning

to form ideas of their own as to what their rights ought to be. The notion that taxpayers at least were entitled to some sort of representative assembly, that taxes should not be levied except with consent of such an assembly, was in the air. It was asserted persistently in New York. An issue had been made by New York merchants, who refused to pay duties imposed by the governor, Sir Edmund Andros (1682). To save his revenue, the proprietor had consented to the establishment of an assembly (1683). It promptly drew up a Charter of Liberties confirming its own existence, establishing freedom of conscience, and establishing the principle of popular assent to taxation.

The Charter of Liberties did not receive the sanction of the proprietor. When he became King he referred it to the Lords of Trade. They were watching America with jealous eyes. Ever since the failure of the royal commission of 1664 (page 95) there had been talk in England of the need of a new system of colonial management. Recently, Randolph had made elaborate reports depicting a New England that refused to accept Acts of Parliament as binding law. The Lords of Trade, very zealous for mercantilism, were shocked by an exaggerated picture which he drew of American violation of the Navigation Acts. All these circumstances had influenced the Lords of Trade when on the King's behalf they drew up the charter of Pennsylvania (1681), in which the supremacy of the Crown over the colony was amply safeguarded and the right of Parliament to legislate for it was definitely stated. Now (1685) when James submitted to them the proposed charter of refractory New York they advised him to refuse to allow it. He did so. The governor was armed with despotic power.

The Lords of Trade had now perfected their great scheme. In the cruel days when James stamped out the rebellion of Monmouth, when Lord Jeffries was carrying out in western England a bloody carnival of reprisal under forms of law, Sir Edmund Andros was appointed governor of New England (1686). His authority was to extend over the two royal provinces, Massachusetts and New Hampshire, over Maine, the dependency of Massachusetts (page 82), and over Plymouth, the anomalous colony that had never had official recognition by the Crown. A detachment of British "red coats" came over with Andros.

By a show of force he carried out the second step in this extension of royal authority, bullying Connecticut and Rhode Island into surrendering their charter rights and submitting to the direct rule of the King's representative. A third step was the further consolidation of the northern colonies by including in the "Dominion of New England," with Andros as governor-general, New York and New Jersey (1688). It was an absolutist dominion with no representative assemblies, with the Governor-General and an appointed Grand Council ruling at the King's pleasure.

When Andros attempted to collect taxes a storm broke. The little town of Ipswich, led by John Wise, covered itself with honor by refusing to pay taxes not levied by the General Court. Andros, with soldiers at his back, bullied, fined, even imprisoned his opponents, and took what his council authorized. Bitter quarrels arose over land titles. Much of the soil of Massachusetts was held by deeds that had been issued by towns, reinforced by purchase from the Indians. Andros held that such deeds were invalid. New titles must be taken out, and for issuing them the royal officials were to be amply feed. Quitrents were to be introduced. Councillors attempted to secure for themselves desirable land held by towns as "commons." Graft was added to despotism.

Parallel with the discontent in New England was its growth in Virginia. The governor, Lord Howard, attempted to deprive the assembly of the power to lay taxes. A controversy arose over quitrents. Owing to lack of specie it had become customary to pay the quitrent in tobacco. Howard demanded specie. The issue was compromised by the governor lowering the amount demanded. But when he undertook to determine the places at which ships might unload, the assembly stood fast against him. The governor dissolved the assembly.

The colonies were ripe for rebellion; so, as events proved, was England. William of Orange, husband of the King's eldest daughter, the Princess Mary, was invited by a conspiracy of great nobles to come to England as the champion of the nation against the Crown. He came. James fled to France. William and Mary were chosen by Parliament to be King and Queen of England.

In America this "Revolution of 1688" was followed by the overthrow of James's creatures. Boston rose and cast Andros into

prison. There was an uprising in New York led by a German Leisler, who set up a temporary government based on popular support. In Maryland, where further local troubles had intensified the old feud between Catholics and Protestants, the latter seized the government, repudiated the rule of the proprietor, and proclaimed William and Mary.

The new sovereigns were immediately engaged in that great war which was the opening of the death struggle between England and France in America (Chapter V). During the early years of the war a general reorganization of American affairs took place. The Dominion of New England disappeared. New Hampshire and Massachusetts again became royal provinces. In the former the change was a mere return to what had been before. Massachusetts suffered something like a revolution. In two respects it was favorable to the colony. Little Plymouth was wiped off the map and her territory added to the area of Massachusetts, which was also confirmed in the possession of her dependency, Maine.¹

But the colony was not allowed to recover its old freedom in electing governors. It became a royal province. The assembly was restored, but the franchise was to be based strictly on property qualifications, and all Protestants were to have freedom of conscience. Connecticut and Rhode Island were restored to their former status.

In New York occurred a disgraceful episode. Leisler appears to have been unequal to his opportunities; but still worse was Henry Slaughter, sent over as first governor under William and Mary. Leisler's enemies made a tool of Slaughter, and at last obtained a warrant under which, on a flimsy charge of treason, Leisler was seized and put to death (1691). Tradition has it that Slaughter was drunk when he signed the warrant.

It was this rogue of a governor who was instructed by William to call an assembly for New York "according to the usage" of the other colonies. Thus not only did New York at last obtain its assembly, but an indirect admission was made by the Crown that

¹ The boundaries were extended by adding to old Maine the region between the Kennebec and the Saint John. This region—the seat of confusion in title because of old grants from the Council for New England—had been included in the grant to the Duke of York in 1664, and was later included in the Dominion of New England.

the "usage" of English America was based on representative government.

In New Jersey and Maryland there were temporary arrangements which lasted but a few years. New Jersey, though allowed to remain for a time in the hands of its former proprietors (page 92), became a royal province in 1702.

The whole of the revolution of 1688 was tinged by a religious issue—James having striven to impose his personal religion, the Roman Catholic, on his kingdom, while Protestants, who were the enormous majority in England as in the colonies, bitterly resented it—and therefore the new sovereigns were quite willing to see the Catholic family of the Calverts dispossessed. Maryland was made a royal province. It so continued until a Protestant succeeded to the title, when the proprietorship of his ancestors was revived and bestowed upon him (1715).

In Virginia the change from the old order to the new was accomplished without trouble. The popularity of the new was commemorated in a new capital which was named Williamsburg and in the founding of William and Mary College. In the Carolinas and in Pennsylvania the change was effected with no serious friction, though Penn was briefly deprived of his proprietorship under suspicion of too close friendship with the fallen King.

Just as the Restoration continued the commercial traditions of the Commonwealth, so the new régime carried on, in the main, the same traditions. Though the enmity of England and Holland had now passed away, there was no decrease in the universal faith in the mercantilist theory. William, before all else, was a soldier engaged in a great war. To make the British Empire self-sufficing on the most approved economic theories of the day was part of his aim. Hence another Navigation Act (1696). It completed the closure of colonial ports to foreign vessels by prohibiting all trade to and from the colonies except in ships built by English subjects and commanded by English seamen. It also declared null and void any colonial law at variance with the Navigation Acts, and authorized the trial of violators of these Acts in special admiralty courts to be established by the Crown. The same year, 1696, for the purpose of co-ordinating all colonial problems the Committee of the Privy Council (page 88) was replaced by an independent body,

the Board of Commissioners for Trade and Plantations, commonly called the Board of Trade. This body was designed to be a perfectly orthodox expression of mercantilist theory. It was to be guided by the principle that the colonies "must hereafter be brought to understand that they are to be looked upon as united and embodied and that their head and center is heere."

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The Formative Period

1688-1763

BASIS OF CHAPTERS V-VIII

The years between the revolution of 1688 and the Peace of Paris, 1763, were a long intermittent struggle between France and England for domination of upper North America. A series of intercolonial wars formed the background of this period and ended in the downfall of the French Colonial Empire.

The conspicuous events of these seventy-five years were the wars, some of them very dreadful, with the French and the Indians. But in the intervals of the wars, great issues were quietly revealing themselves in colonial life and in the life of the Empire. The Lords of Trade had been abolished and their place taken by a more efficient body, the Board of Trade. It continued the old policy of the Lords of Trade with increased thoroughness and became the centre of the administrative system, generally termed "the Crown," in its dealings with the colonies. What may be termed the constitution of the Empire included also the Privy Council which in the eighteenth century became a potent factor in colonial administration; first, by acting as a Supreme Court for the colonies to which any colonial was permitted to appeal for justice; second, as adviser to the King if a colonial law was supposed to invade his sovereign rights. These rights included the authority to veto a colonial law if for any reason the Council deemed it unwise. In the eighteenth century there were famous instances of the use by the Council of both of the great powers that it had acquired in colonial administration.

Though colonies were originally private ventures, several in one way or another lost their original character, fell into the hands of the Crown and became "royal provinces." Over each of these ruled a royal governor who was the King in miniature. Gradually the Crown had built up a traditional colonial policy; when fully developed in the eighteenth century, its main features were—the economic system, commonly called mercantilism; the jealous oversight of colonial legislation in the interests of the home government; the payment of colonial expenses through the colonial taxes; and the treatment of each colony as an individual commonwealth with its own relation to the Crown.

Colonial life rooted far back into the life of England, just as did colonial law, but it was not until early in the eighteenth century that the colonies began to have an intellectual life of their own. A little later they developed art of their own. The peculiarities of colonial life—its scant population, its open spaces, the constant shadow of war, relations with barbarians, as well as influences transplanted from Europe—have all been suggested as contributing to the intellectual awakening that occurred about 1735. Before then, American writing was generally either personal or

based closely upon the Bible. Shortly before 1735 came a sudden interest in the new turn of English literature which we associate with Addison and Pope. Between 1735 and 1745, America began to respond, more or less, to sceptical thought that came in from France, but also responded to an international religious movement which in America produced the Great Awakening. The latter was interwoven with a social movement that aimed to reduce the influence in church government of the propertied classes. The general ferment social and intellectual was accompanied by an increase in scientific studies, by the development of a native style in architecture, by the beginnings of the American theatre. Intellectually the period closes with the great figure of Benjamin Franklin and his discovery that lightning and frictional electricity are the same.

Socially, the period closes with the evidence that a definite new type, the American, has made its appearance. The characteristics of the generation that was in control in 1763 are finely recorded in the portraits painted by Gilbert Stuart.

Chronology:

- 1689-1697. First Intercolonial War ("King William's").
- 1702. Second Intercolonial War ("Queen Anne's").
- 1710. Conquest of Acadia (Nova Scotia).
- 1713. Peace of Utrecht.
- Towns begin reserving land for schools.
- 1720. New Orleans founded.
- 1722. Reaction in the North toward Anglicanism.
- 1728. Influence of Pope on colonial writing.
- 1728. Case of Winthrop vs. Lechmere before Privy Council.
- 1729. Influence of Wren in colonial architecture.
- 1732. Birth of Washington.
- 1732. Colony of Georgia an asylum of the poor.
- 1733. Molasses (or First Sugar) Act.
- 1734. Jonathan Edwards opens The Great Awakening.
- 1735. Zenger Case and freedom of speech.
- Birth of John Adams.
- 1736. John Wesley in America.
- 1739. Third Intercolonial War ("King George's").
- 1743. Birth of Jefferson.
- 1744. Franklin founds American Philosophical Society.
- 1748. First American Theatres.
- 1752. Franklin's electrical experiments.
- 1754. Albany Congress on Colonial Union.
- 1754. Fourth Intercolonial War ("French and Indian").
- 1755. Birth of Gilbert Stuart.
- 1757. Pitt Prime Minister.
- 1760. Wolfe captures Quebec.
- Accession of George III.
- 1763. Peace of Paris.

CHAPTER V

THE WARS FOR EXISTENCE

(1) The Strategic Positions of France and England

A FORMATIVE period—in which the transplanted Europeans of the seventeenth century ceased to be Europeans, passed through some sort of inward change, and emerged as a new nation, the Americans—may be bounded roughly by the years 1689 and 1763. The entire period has for its background actual or impending war. It is desirable, therefore, to conceive as a continuous movement that vast intermittent conflict in which two phases of European civilization, incarnated temporarily in England and France, fought to the death for world leadership. One issue of this terrible struggle was the preservation or the destruction of the type of communal life planted in this country by people who have appropriated to themselves the term "Americans." It was the avowed purpose of the French King to conquer the English colonies, crush out every vestige of their peculiar institutions, despoil their inhabitants, and drive helpless into the wilderness all those who would not meekly submit to absolutism both in church and state.

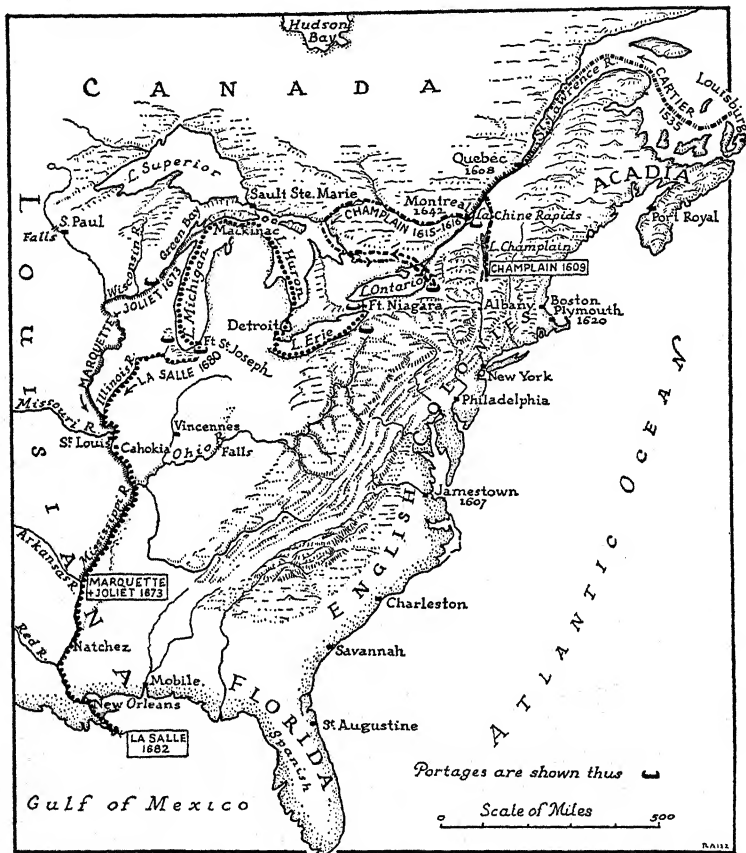
When England consolidated the Atlantic colonies by the conquest of New Netherland (1665) the French "Empire" in America was virtually a single trade route, and a vague hegemony over the Indian tribes that lay on either hand of it. This was the route of the fur-traders from the Saint Lawrence to Lake Superior. French expansion took the form of establishing forts and trading posts strung along this route through great spaces of wilderness. A portentous contrast was the English method. Throughout the seventeenth century the settlers under the English flag, whatever their nationality, were moving slowly step by step, farm by farm, away from tide-water—"digging in," you might say—all along the Atlantic coast.

During the twenty-four years preceding the first French-Ameri-

can war France improved greatly her strategic position. This was done by establishing another far-flung trade route lying roughly at right angles with the first. A famous Jesuit missionary, Marquette, and an adventurous trader, Joliet, working overland from Green Bay, and down the Fox and Wisconsin Rivers, found at last the Mississippi, which they explored as far south as the mouth of the Arkansas. The great Frontenac, then in his first administration as governor of New France, saw the value of this discovery. His support made possible the further exploration of the Mississippi by La Salle, whose voyage down the river terminated in a formal ceremony when, on the shore of the Gulf, he set up a cross and claimed the whole Mississippi valley as a dominion of the King of France (1682). La Salle built Fort Saint Louis at Starved Rock, on the Illinois River. It was the beginning of a grandiose plan for French hegemony over all the Mississippi Indians. Thus a barrier would be raised behind the Iroquois to the west, and English traders, who even then were aiming for the western country, would be headed off.

This vast right angle of the two French trade routes left unconquered an important area south of the Lakes, east of the Mississippi, and west of the English settlements. Both sides claimed it, each ignoring the claim of the other. In fact, so far as Europeans were concerned, it was No-man's-land. Now that the French had cut in behind the Iroquois, there was especial reason why the Iroquois should make every effort to consolidate their power in the No-man's-land, as well as to fight out the long quarrel over the northwest. The old rivalry of the two markets, on the Saint Lawrence and on the Hudson, was more acute than ever. There was a steady tipping of the scales in the favor of the English. They offered as a rule better goods and without exception cheaper goods than the French offered. The same beaver skin would buy at Quebec half a blanket; at Albany a whole blanket; at Quebec four pounds of powder; at Albany eight. Indian epicures preferred French brandy to English rum, but the cost was much greater and the effect doubtless not appreciably different. Dongan, the able and devoted governor of New York in 1684, succeeded in effecting a sort of treaty of friendship with the Iroquois, which he followed up by a bold attempt to break in upon the trade of the Lakes. Denonville, who

had succeeded Frontenac as governor of New France, very soon turned the tables by invading the Iroquois country and burning their villages. Dongan's counterstroke was to pour arms and am-



FRENCH EXPLORATIONS AND SETTLEMENTS

munition into the eager hands of the Indians. During the short reign of James II, while the complexities of European politics prevented open war between France and England, a sort of veiled war was going on in America. On the surface it was ostensibly a feud between the Iroquois and the Hurons. The Iroquois still dreamed of cutting across the northern trade route, closing it altogether, and exterminating their old enemies.

(2) King William's War

Two wars broke out at the same time—the great European war following the flight of James II to France, and the small but horrible war between the Hurons and the Iroquois. The last days of the governorship of Denonville witnessed the terrible Iroquois raid which ended in a massacre of settlers at La Chine, but a few miles from Montreal (1689). Already the French and English Kings were arming. The two wars merged quickly into one.

A memorable date in our history is June 28, 1689, when an Indian raid surprised Dover, New Hampshire, killed or captured all its people, and thus opened the long series of the wars for existence. Soon afterward occurred the destruction of Schenectady (February 9, 1690), which was surprised in the dead of night by a force of Indians led by French officers. The village was burned to the ground; some of its inhabitants were thrown alive into the flames.

In King William's War, as it is known in America—the War of the Grand Alliance (against Louis XIV) as it is known in Europe—the American events though often horrible were seldom of great moment. The Americans fought their share of the war pretty much by themselves except for the spasmodic co-operation of naval commanders, who were generally inefficient. Sir William Phips, a self-made man who had risen from a colonial shopkeeper to be governor of Massachusetts, led a maritime expedition against the French colony of Acadia (page 50) and captured Port Royal (1690). Perhaps it is unfair to say that the Americans sacked Port Royal, but they undoubtedly carried away much loot.

More lamentable still was the pillaging of the church at Port Royal by bigoted Protestants, who looked upon the images of the high altar as if they were idols. The grim note of religious anger comes and goes through the whole story of the wars. Fundamentally, the wars are a political, economic, and social conflict, but at times religion suddenly mixes into the tragedy and colors it shamefully, to the discredit now of one side, now of the other.

While Phips was at sea an informal colonial congress representing New England, New York, and Maryland met at New York (May, 1690) and drew up plans for an invasion of Canada. It was

agreed that New York should send a land force by way of Lake Champlain, while New England should send a force by sea. They were to join at Quebec. This was in the troubled time when Leisler was at the head of a temporary government in New York (page 101). He worked hard to equip a small army, but he had few trained soldiers, no adequate organization, and the small-pox was raging. The expedition commanded by Fitz John Winthrop got no farther than Lake Champlain. Phips was equally unsuccessful. Though the New England ships reached the Saint Lawrence before Quebec, Phips wasted precious time trying to pick up the art of war on short notice, and then for fear of being caught by the ice ingloriously sailed away. Thereafter the war in America was mainly advantageous to France. Port Royal was recovered. Guerilla warfare came and went along the Canadian border. A plundering raid into the Iroquois country, led by Frontenac in person (1696), burned and harried and gave the savages new respect for French power. The next year a peace of exhaustion—for in Europe there was much the same condition of parallel unsuccess as in America—was established by the treaty of Ryswick (1697).

(3) *Queen Anne's War*

The cessation of war between French and English, and Canadians and Americans, did not necessarily mean peace among the Indians. Iroquois and Hurons continued during four years desultory hostilities. Meanwhile the Iroquois, who had suffered heavily during the war, demanded active protection from one side or the other, and the return of their warriors held prisoner among other Indian tribes. There was among them a pro-English party and a pro-French party. French diplomacy, during the time before war broke out again, overmatched English diplomacy. It culminated in a temporary league of Indian nations under French leadership drawing in all the tribes of No-man's-land down to the Ohio and including the dominant Iroquois (1701).

Both French and English saw that a keypoint in all this fur-country diplomacy was the strait between Lake Huron and Lake Erie. English hopes for penetrating to the Great Lakes through the valley of the Mohawk and seizing this coveted location were frus-

trated by the French-Iroquois alliance. Cadillac founded Detroit, a new stronghold of the hegemony of the west (1701).

Meanwhile at the other extremity of their position the French began active efforts to create the colony of Louisiana. The year following the treaty an expedition was sent to the Gulf. The first settlement at Biloxi (1699) was soon followed by Mobile (1702).

In this way the Atlantic colonies were almost—if somewhat thinly—encircled by hostile power. But another link was needed to make the encirclement complete. Florida was Spanish. In the first French-American war Spain had been neutral. The designs of Louis XIV, both in Europe and America, included the domination of Spain by France. Again the French overmatched the English in diplomacy.

Both French and Austrian princes were near relations of the childless Charles II of Spain. Despite the efforts of England to give the Spanish succession to an Austrian, Charles recognized as his heir a grandson of the French King. To Americans this completed their encirclement. Louis promptly offered England cause for war—first through trade discriminations, and then by recognizing as King of England the son of the exiled James II, though in the treaty of Ryswick he had acknowledged William and Mary as King and Queen. One of the earliest acts of Queen Anne, the successor of William III, was to declare war on France.

Europe knows the resulting conflict (1702-1713) as the War of the Spanish Succession, America as Queen Anne's War. In some respects it was the turning point of the war series. England produced one of the greatest of commanders, Marlborough, whose famous victories, Blenheim, Ramilies, Oudenarde, and Malplaquet, broke the French military prestige which hitherto had overshadowed the world. So momentous were England's European undertakings that her American colonies were left pretty much to shift for themselves. As a consequence the war proved a further training of the Americans in self-dependence, a further emphasis upon their impulse to manage their own affairs. In fact, Massachusetts, in the midst of dire misery in 1705, went so far as to treat with the governor of Canada with a view to peace as if the colony were free to fight or not, as it pleased. But nothing came of this beyond an exchange of prisoners. New York took a course almost equally

self-contained. Virtually the colony asserted and maintained a position of neutrality. This was due to the Iroquois taking the same position. Let sleeping dogs lie, was the New York policy. The French were willing to wink at the neutrality of their Indian allies, and to let New York alone as long as the colony continued inactive.

The war in America became practically a matter of the extremities of the Atlantic country. New England was ravaged all along its frontier with the barbarity that was to be expected. The most famous incident was the sack of Deerfield by French and Indians (1704) commanded by Hertel de Rouville, of the Canadian nobility, who on the march back to Canada threatened to burn alive all his prisoners if any one of them attempted to escape. The great events in this period on the southern border were the unsuccessful attack by the Carolinians on Saint Augustine (1702) and the defense of Charleston against a mixed French and Spanish expedition (1706).

During the latter part of the war the home government gave more attention to American affairs. The royal navy, after having sorely disappointed the Americans, who expected active aid in 1709, took part the next year in a second American conquest of Port Royal, which was carried out mainly by the New England militia. Acadia became British under the name of Nova Scotia. A very much more ambitious expedition, composed of a royal fleet, royal soldiers and American militia, repeated the attempt of Phips against Quebec and made a still more ignominious failure (1711). The blame lay chiefly with the stupid admiral Sir Hovenden Walker, who lost his resolution amidst the difficult navigation of the Saint Lawrence.

During the last two years before peace came, the Carolina border was desolated by the Tuscarora Indians. The cause of their sudden rush upon the whites is obscure. There was general unrest among the Indians all up and down No-man's-land. This Tuscarora War, as the attack is often called, is second to none in atrocity. But the whites found an intrepid commander in John Barnwell, who swiftly shattered the Indian power. The Tuscaroras were of the same blood as the Iroquois; after their defeat they migrated northward and joined the confederacy of their kinsmen that was known thereafter as the Six, instead of the Five, Nations.

The peace of Utrecht (1713) was dictated largely by European considerations, but not altogether. In three respects America was

profoundly affected. Spain, in the grant known as the *asiento*, gave merchants under the English flag the privilege of supplying Spanish America with Negro slaves. Newfoundland became British, affording to English fishers a coveted base in the upper Atlantic. Most important of all, the Iroquois were acknowledged by France as subjects of Great Britain. Thus it turned out that the French-Indian diplomacy of 1701 was not so successful after all. Throughout the war the pro-English party among the Iroquois, aided by a skilful diplomat from Albany, Peter Schuyler, had gradually gained ground. In the preparation for the futile expedition of 1711 a large force of Iroquois were in readiness to join the Americans.

(4) *The Thirty-Years' Truce*

The new nation was being formed and tempered in a stern fashion. The American was learning to endure hardships, to disregard peril, to trust himself, and to have few illusions. He was also learning the other lessons that are generally taught by war—to be careless of others and to profiteer. Unscrupulous bargaining was in no small part a cause of the recurrent anger of the Iroquois. Their charges against the officials who dealt with them in Albany included deception and graft. Americans, both the honest and the dishonest, were learning all that was to be learned in that age of fierce and adventurous trading.

This matter of the Indian relations was still ambiguous. What the Iroquois were on paper had some importance, but not a great deal. The truth was that a long string of fickle Indian peoples formed an indefinite buffer between the Americans and the French throughout the whole of No-man's-land, and even curving eastward along northern New England—from the Chocktaws and Chickasaws far to the southwest, up through Cherokees and Catabas, to the Iroquois, and on to the warlike Abnakis. With all these peoples new problems of trade and influence were arising. Among them English and French traders, Americans and Canadians, were constantly at work, each playing the hand of his own nation. During what has been called the thirty-years' truce—really thirty-six—until the war with Spain in 1739, these Indian problems are constantly in evidence.

At times the border of one colony or another flamed with Indian war—as when the Yemassee fell upon South Carolina (1715), perhaps at the instigation of the Spaniards. There was desperate fighting before the Yemassee were subdued. It had long been part of French policy to incite the Abnaki Indians against New England. Despite the peace, this policy was continued. Savage raids of the usual sort led to local war. The centre of operations was the mission station of an extraordinary Jesuit of great talent, Sebastian Rale, through whom the governor of Canada directed the course of the Abnakis. A force from Massachusetts penetrated to his mission and Rale died fighting (1724). On the other hand, the great tribe of the Cherokees, that could muster 5000 warriors, were won over by the Carolinians and became friends of the Americans.

France did not admit that she had received a serious setback in America. Throughout the thirty-years' truce she worked steadily to tighten her hold on the two great trade routes along which went the precious cargoes of beaver skin that were as good as gold. To safeguard the northern route she built the great fortress of Louisbourg on Cape Breton Island, an offset to Port Royal, now Annapolis, the headquarters for British Nova Scotia, once Acadia. On a spacious harbor rose this "Gibraltar of the North" designed by the best French engineers. When the next war came it was to be the French naval base in the North Atlantic. Nor was Louisiana neglected. New Orleans was founded (1720) and the long line of forts stretched up the Mississippi and connecting with the Canadian line was strengthened. To check the traders from working into No-man's-land from Carolina, Fort Toulouse was established at the head of the Alabama River. Feudal seigneuries were set up in Louisiana on the Canadian model and emigration began to flow through New Orleans inland. Settlements were made in the Illinois country, whence grain was shipped to Detroit and Canada, and down the river, even to Europe.

Shortly after the unacknowledged war between Massachusetts and the Abnakis, the French built a fort at Niagara. It was the beginning of a series of manœuvres in which the one side tried to isolate the Iroquois, the other tried to use them as a stepping stone to the Great Lakes. Pursuing the latter purpose, the English pushed westward through the Mohawk valley and Governor Burnet of

New York persuaded the western Iroquois to place their hunting grounds formally under the protection of England and to cede a strip of land sixty miles wide along the south shore of the Lakes as far west as present Cleveland. Thus a barrier was drawn straight



across the gaze of the sentinels at Fort Niagara. Burnet also built Fort Oswego on Lake Ontario. The counter stroke of the French was far to the east, menacing the Mohawk trail at its base; coming down to Crown Point on Lake Champlain they built Fort Saint Frederic.

All along the front of No-man's-land the Americans pursued

their habitual slow advance. Their traders searched the forests far in front of the outposts of settlement. They were rovers, who did not establish permanent stations but went after pelts in the spirit of hunters. They were like the cavalry screen which a great general throws out far in advance of his slow-moving infantry. Behind the traders, step by step, farm by farm, the Americans pressed on up all the Atlantic streams toward the long barrier of the Appalachians, beyond which lay No-man's-land. They were recruited steadily by in-pouring streams of new emigration drawn like themselves from the hardy, restless, comparatively dissatisfied portions of the nations of northern Europe.

(5) King George's War

As the events drew near that were destined to bring the thirty-years' truce to an end there was an interesting mixture of motives in the minds of many men in England, particularly in the mind of James Oglethorpe. It was plain that war with Spain or France, or both, was no unlikely chance. Therefore it would not be a bad idea to plant a sentinel colony, so to speak, on the Spanish border south of Carolina. Such a colony would form a new trading base in the competition of Englishmen and Americans with Spaniards and French in the southwest. Furthermore, German Protestants were being persecuted in the principality of Salzburg; they had appealed to England for an asylum; the new colony might form that asylum. A humanitarian consideration was the suffering of the poor but worthy English debtors who had no opportunity to recover their independence at home. Four reasons, thought Oglethorpe—strategy, trade, toleration, humanity—for the new colony of Georgia, which was now established, for which George II granted a charter (1732) vesting control in proprietors to be known as trustees.

Sir Robert Walpole, England's first real prime minister, aimed at peace throughout his long career. He was frustrated by the conditions growing out of the treaty of Utrecht. English merchants were permitted by that treaty to send to Spanish ports 500 tons of commodities each year. Not content with this amount, they insisted upon wholesale smuggling. Their ships were seized by

Spanish authorities. Out of the resulting quarrels grew such a clamor for war that Walpole was at last compelled to give way (1739). The strategic importance of Georgia at once became apparent. Before the year was out the Spaniards raided the Georgia coast. Oglethorpe, who was personally in command of the colony, appealed to South Carolina, and the two colonies joined in an expedition against Saint Augustine led by Oglethorpe. A Spanish fleet appeared just in time to save the city from capture and to compel Oglethorpe's retreat.

Naval war in the West Indies now engrossed attention. Admiral Vernon made a famous but unsuccessful attack on Cartagena—ever memorable to Americans for several reasons: The military force which went aboard Vernon's fleet had been recruited very largely in the colonies; only the sudden death of the ex-governor of Virginia, old Alexander Spotswood, prevented his going along as commander of the American volunteers; no such accident kept young Laurence Washington from joining the expedition. Whatever the faults of the unsuccessful admiral, he so ensnared the heart of this young man that on his return home he named his estate Mount Vernon.

Oglethorpe succeeded Vernon in command in the West Indies. Soon he had reason to defend his base on the Georgia coast. A Spanish expedition which landed a considerable force was met at Frederica and in a gallant action put to flight (1742).

Meanwhile France had adopted a new policy which again brought her across the path of England. Each nation was aiming at wide-flung commercial empire. Each dreaded the sea power of the other. Astute young Frederick of Prussia saw how to play his own game through getting them by the ears. Prussia and France were to dismember Austria, Prussia taking Silesia, France the Austrian Netherlands. England regarded the latter move as a menace to her sea power. When France seized the Netherlands, England declared war (1744).

This War of the Austrian Succession—King George's War, in America—was of little satisfaction to any one except Frederick, who kept his hold on Silesia. By 1748 three considerations led England and France to make an unfortunate treaty—from the American point of view. The French had kept their hold on the Netherlands;

in India they had driven the English out of Madras; on the other hand, the English had proved themselves the stronger at sea, and over Louisbourg the English flag was flying. France would evacuate the Netherlands and restore Madras if England would give up Louisbourg. The English diplomats thinking of sea power and general commercial expansion consented to peace on these terms.

The mistake they made was in forgetting the Americans. Though a royal fleet had co-operated in the capture of Louisbourg, the undertaking was conceived by William Vaughan of Maine, organized by Governor Shirley of Massachusetts, and carried out by New England militia under the command of William Pepperell. It was an heroic undertaking. There were great sacrifices both of men and money. Massachusetts emerged from the war heavily in debt. Pepperell was personally in debt £10,000. A thousand New Englanders lay buried under the walls of Louisbourg. But all this was ignored by the diplomats, and Louisbourg was handed back to France. It was all very well to say that Massachusetts was absorbed in her own affairs and saw things in a narrow, parochial way. These small semi-isolated American communities that had been out of touch with Europe for over a hundred years could not be expected to see things otherwise. The retrocession of Louisbourg illustrates a brilliant modern remark, "The world of high politics has never been conspicuous for its knowledge of human nature."

(6) Realignment of the Nations

During the next six years human nature had a great deal to say in North America. The high contracting parties in Europe had not been able to agree upon their exact boundaries: (1) in Acadia—Nova Scotia; (2) along the watershed between the Hudson valley and Lake George; (3) upon the Great Lakes, where the English Crown claimed a vast area on the ground that it was overlord to the Iroquois, who had subdued other Indians far and wide; and (4) in the Ohio valley. In the first of these four areas the Americans were not deeply interested; the second was of strategic importance only. The third and fourth were for them vital questions of commercial expansion. Once more it was the trade of No-man's-land, upon which the destiny of nations hung. Those daring traders,

who were the mobile screen of the advancing Americans, had penetrated the forests of the Ohio country, intrigued with its Indians, and built up a pro-English party in the wilderness. Deep into No-man's-land, at a place on the Great Miami River called Pickawillany, the English sympathizers among the Indians drew together in a considerable town which the traders in a crude way fortified.

In 1749 the governor of Canada sent Celoron de Bienville on a prospecting tour through the Ohio country. He came down by the Allegheny and Ohio Rivers and went back by the Great Miami and the Maumee. He reported that English traders were everywhere among the Ohio Indians. As soon as it could be managed, a force of Indians under French command came down from Detroit, surprised Pickawillany while most of its warriors were absent, and took their fill of the sort of massacre that was the commonplace of frontier war. The sachem who had been particularly friendly to English and Americans was killed; his body was boiled and eaten by his Indian enemies.

There was another interest in the wilderness besides trade. This was land speculation. It had played its part all through colonial history. Now at last it became conspicuous. The English colonists numbered about a million and a half. Restlessness and adventurousness were bred in their bones. Having pushed their way up to the heads of their rivers they were beginning to feel the strange charm of "the secret hid behind the ranges." Far-sighted men who knew the American character saw that the time was ripe to go in for land speculation.

A sign of the times was the organization in Virginia of the Ohio Company (1749), which obtained from the Crown half a million acres on the Ohio. Already America had begun to develop a type of man who was to have an immortal place in our traditions, the type of forest lover, whether trader or hunter or both, that Cooper has delineated so brilliantly in *Leatherstocking*. A noted instance was Christopher Gist. As the Ohio Company aimed at trade no less than at land speculation, it sent out Gist as its advance agent. With him were associated at one time or another two other famous frontiersmen, George Croghan and William Trent. Through these men the Virginians learned that the French had played their old game at Pickawillany. Even before this the Ohio Company had

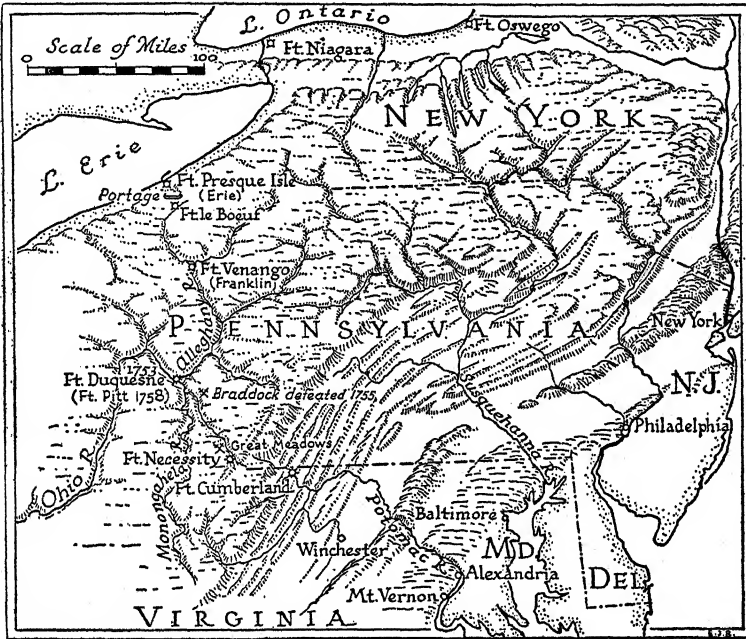
planned to cut a road from Will's Creek on the Potomac to "the Forks of the Ohio" (Pittsburgh) and to construct a fortified trading post at its western end. The news from the west was a broad hint to hurry. It was confirmed in the spring of 1753 by reports



from western New York. Friendly Indians had seen French war parties moving southward from Lake Erie.

While the Americans all along the border were anxiously guessing what the French were about, their enemies had tried in vain to induce the Iroquois to destroy Fort Oswego. At last they had decided to circle around Oswego, establish a base at the east end of Lake Erie, and strike due south toward the Ohio. Thus the French barrier behind the Iroquois, which hitherto had been far to the

westward, would be moved close up, and at the same time a trade route opened to the top of the Ohio valley. Before the end of 1753 a new string of forts was begun, starting with Presque Isle (Erie), which was quickly followed by Le Bœuf and then by Venango.



THE FRENCH AND INDIAN WAR

All the while the Virginians had been putting this and that together, scanning intently the mystery of the western forests. Winter was coming on, when Governor Dinwiddie made up his mind that the French were certainly on the march. He determined to send them a warning to withdraw. Lord Holdernessee, Secretary of State for the Colonies, had written to all the royal governors commanding them to put their provinces in a posture of defense. Dinwiddie picked out young George Washington, two of whose brothers were among the organizers of the Ohio Company, and sent him into No-man's-land to find the French commander, wherever he might be, and bid him desist from his undertaking. At Will's Creek, Washington was joined by Gist. As they proceeded northward they had ample assurance both from Indians and roaming traders what

France was about. In bitter winter weather they reached Fort Le Bœuf, presented to the commander, Saint Pierre, Dinwiddie's protest, and received the polite defiance which by this time they expected.

Dinwiddie resolved to pay back in the same coin. With all haste possible a little force of Virginia backwoodsmen was hurried to the forks of the Ohio, only to be dispersed without firing a gun by the advancing French (February, 1754), who built there Fort Duquesne. Another small force of Virginia militia led by Washington was hastening to the west when it met a French scouting party and fought a brisk skirmish (May 28). The general officer commanding the Virginia troops on the border died suddenly and Washington succeeded him. Early in July he had brought all his forces together at a place called the Great Meadows, where previously he had erected Fort Necessity. There, his men exhausted by long marches and short of provision, he was surrounded by the French in numbers far exceeding his own. A day of hard fighting (July 3, 1754) ended in a capitulation which permitted the Americans to march away with the honors of war (July 4). It was one or other of these petty fights of Washington's which Macaulay had in mind when he wrote, "The firing of a gun in the backwoods of America brought on a war that drenched Europe in blood."

(7) The First World War

The terrible Seven Years' War (really a nine years' war) is a world event. It ended in the downfall of the old French Empire; the final decision between two streams of tendency that were in conflict with each other to reshape the life of all the European nations. Its American portion is generally called the French and Indian War.

The nine years of this fourth French-American war may be divided into three stages. Two years of virtual war while the diplomats in Europe were fencing with each other for new groups of alliances; a brief period of shocking incapacity in the British high command before the advent of William Pitt; the war under Pitt. It is foolish and short-sighted to think of the American portion as a thing in itself outside the general perspective of the world war. The standing or falling of American institutions, the maintenance

or destruction of the tradition of American liberty, was at issue in furious battles where no American was present—on the European seas, in the interior of Germany, in remotest India.

The new groups of alliances reversed the relations of the previous war. Austria made terms with France; Prussia joined England. The Prussian alliance was the cornerstone of Pitt's policy, "I will conquer America for you in Germany," as he told the House of Commons. He was as good as his word. Frederick was our greatest general in the Seven Years' War. Rosbach and Zorndorf are stepping stones toward the deliverance of America from the danger of French conquest. Pitt poured money into Frederick's treasury and sent him considerable reinforcements in men. Englishmen participated in Frederick's victory of Crefeld (1758). Anglo-Prussian forces won the glorious victory of Minden (1759), which is still a classic event in the traditions of the British army.¹ But it was not enough to keep France busy in Europe and thus minimize the attention she could give to America. There was a rising French Empire in India. Clive shattered it at Plassey (1757). The French sea-power received its death blow for this war in Hawkes' victory of Quiberon Bay (1759).

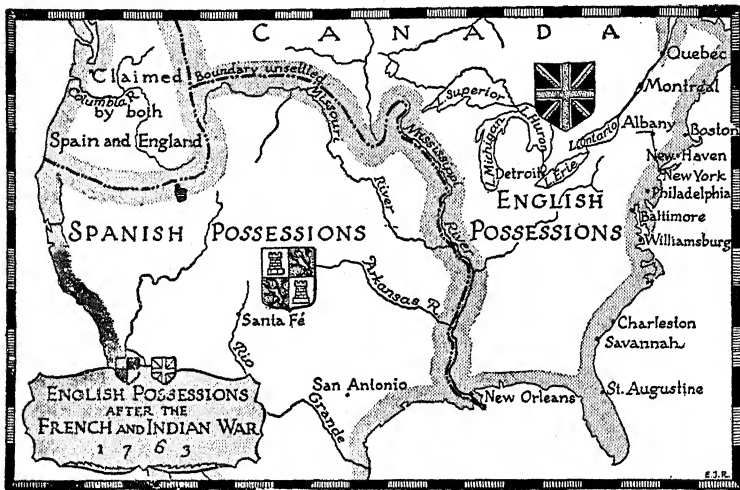
In America the evasive, opening period contained the famous incident of Braddock's defeat (1755). A stubborn martinet of a general, Braddock, with a force of regular soldiers, was sent over to protect the Virginia border. He was particularly instructed to recover the forks of the Ohio. Though he had the able assistance of Washington as commander of the Virginia militia, and of Benjamin Franklin as a sort of commissary general for Pennsylvania, the colonial authorities were of little help to him, and inspired the belief that they had no idea of efficiency. The defeat of Braddock in a surprise attack, while he was toiling slowly westward, was due to his rash insistence on formal European tactics when fighting Indians in a forest. Braddock was killed and his army routed, Washington covering the retreat with his frontier militia.²

¹ Kipling: "The men who fought at Minden were just such men as you."

² About this same time occurred the deportation of the Acadians so romantically depicted in "Evangeline." The French peasantry of Nova Scotia, though now subjects of Great Britain, had steadily refused to take the oath of allegiance. A British general of the type of Braddock, in contradiction to his instructions from London, determined that strategic considerations necessitated the removal of the Acadians from the war zone.

This was the beginning of a series of French successes. The great Montcalm took command in Canada. He surprised and captured Fort Oswego (1756) and Fort William Henry (1757). An army of British and Americans moving northward was defeated by Montcalm in the greatest battle yet fought on American soil at Ticonderoga (1758).

This was the last French success. Formal war had now been declared. In July, 1757, Pitt had come into complete control of the war policy of England. He found the military service filled by



incompetent men such as Lord Loudoun, commander-in-chief in America, who was responsible for the loss of Fort William Henry, and his successor, General Abercrombie, who had blundered into defeat at Ticonderoga. Abercrombie was the last commander of the old sort. Already young men of genius had been discovered by Pitt. The same summer witnessed both the catastrophe at Ticonderoga and the final capture of Louisbourg. The latter action was conducted by James Wolfe and Jeffrey Amherst—two names justly famous in the American tradition. The next year was the glorious one. The year that saw the Anglo-Prussians victorious on the bloody field of Minden saw Wolfe carry out a brilliant piece of audacity in his attack on Quebec, culminating in his victory over Montcalm on the Plains of Abraham—that mournful victory in which both com-

manders fell (September 13, 1759). Though the British force holding Quebec was besieged there by the Canadians, the slow but irresistible advance of Amherst by way of Ticonderoga compelled the last French army in America first to concentrate on Montreal and shortly afterward to surrender (September 8, 1760).

A political tragedy had occurred in England. The accession of George III (1760) was followed by the fall of Pitt, and the partial reversal of his policy. A new ministry made haste to conclude peace. In 1763 the Peace of Paris redrew the map of North America. France lost everything but the little islands of Saint Pierre and Miquelon. Spain had lately come into the war and, as a consequence, her colony of Florida had been seized by the English. It was agreed that they should retain Florida but compensate Spain by permitting her to annex to her American dominions all Louisiana west of the Mississippi and the city of New Orleans east of it. The colonial empire of France had disappeared. Her French-Indian empire was gone. Her sea-power had vanished.

In one respect the treaty may be called dishonorable. The new ministers, in their short-sighted hostility to Pitt, did not scruple to break faith with his ally, Frederick. They deserted him just when Russia, in alliance with France, was threatening him with destruction. Though his genius and the heroism of his people enabled him to effect at last a safe peace of his own, the Tory party in England, which was responsible for the Treaty of Paris, had made an implacable enemy who never forgot the wrong they did him.

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CHAPTER VI

INSTITUTIONAL DEVELOPMENT, 1689-1763

(1) The Imperial System

HISTORY is full of crises that no one was aware of at the time when they occurred. The great King in whose name the empire was reorganized after 1689 doubtless never dreamed that his advisers, unaware to themselves, were blindly making a choice without suspecting what they were doing. They might have reorganized on the basis of an imperialistic vision—just what would have appealed to William had he comprehended it—and regarded America primarily as a problem in government. But having no real imperial vision, being true-blue mercantilists, they regarded America quite naturally as first of all a problem in business. William, immersed in war, put his name to what they recommended and thought no more of it.

To the mercantile vision, the American communities were not, first of all, so many peoples but rather so many markets. To arrange these markets in an ideal pattern as related to the great central market of Britain was the aim of the Board of Trade so far as it had a conscious aim during three generations. The aim was not vigorously carried out. During most of the time England's temper was easy-going. Walpole is the central figure of the time in chronology and in significance. He had a very shrewd knowledge of human nature and an honest love of a certain sort of freedom. The remark imputed to him, that it took a bolder man than he to tax the colonies, is symptomatic. Equally so is the fact that periodically some proposal in Parliament to take the high hand with the colonies in the imperialistic temper met with defeat. Particular measures, high-handed enough, might have support for business reasons, but anything more general could not succeed until the temper of England had changed—as it did at last about 1760.

Throughout the formative period, three great imperial institutions were constantly in the minds of the colonists. From the Amer-

ican point of view, there was seated at London (1) a supreme court to which all sorts of legal questions whether of public or private law might eventually go. This was the Privy Council in its legal capacity. (2) There was also a far-away imperial legislature with regard to whose rights various colonists at various times held various views but in whose actual assumptions of power most Americans during our formative period acquiesced. (3) Last, there was the Crown, which means the permanent system of administration carried on in the King's name.

As Supreme Court for the colonies the Privy Council heard appeals from colonial courts on ordinary questions of the justice of legal decisions. Far more significant was its obligation to pass upon the validity of colonial legislation, to decide whether or no any given enactment was in accord with the general tenor of English law. All the charters had contained the provisions that colonial laws must be in harmony with the laws of England; and this principle had been accepted as a truism. A famous instance of the repudiation of a colonial law by the Privy Council is the case of *Winthrop vs. Lechmere* (1728) which decided that a Connecticut law with regard to intestate estates was void because in conflict with the law of England. Upon this particular issue, the Privy Council, seventeen years later, reversed its judgment.

The power of the council to pass upon legislation applied to the colonies only. The council had no such authority over Parliament. In this double fact is the opening of a wide divergence between British and American ideas of law. The old belief in a "fundamental" law not created by the legislature, that can be changed, if changed at all, only by some power higher than the legislature, this profound legal conception steadily lost ground in England during the eighteenth century. At length Blackstone formulated a new legal philosophy, saying, "I know of no power that can control the Parliament." In America, on the other hand, not only traditional belief but the constant practice of the Privy Council as the colonial Supreme Court made the idea a familiar piece of furniture in the eighteenth-century American mind. This doctrine of the existence of fundamental law binding upon the legislature is everywhere the cornerstone of American government today. It is the natural outcome of the experience of our fathers under the Crown.

To this function of the Privy Council as court of last resort may be traced another American idea also universal at the present time. If there exists a fundamental law behind all the statute law there must obviously be some mode of determining how and when the latter by violating the former ceases to be valid. Much learning has been expended tracing the steps by which eventually the Supreme Court of the United States was invested with this power of "judicial review." But how could anything else have come about, except by conscious breaking with the past, among a people who had been accustomed for generations to the practice of judicial review by the Privy Council?

The second of the three great imperial institutions, Parliament, maintained its ambiguous relation to the colonies until after 1763. Its acts did not apply in America unless there was express statement to that effect. All the acts which included America in their scope, previous to 1763, were legislative or administrative acts. As if by tacit consent the age of Walpole passed no taxing acts that applied to America. Examples of the Parliamentary colonial legislation were the Coinage Act setting up a uniform scale of values for the currency of foreign countries (1707); the Hat Act, limiting the number of apprentices that could be employed by hatmakers in the colonies (1732); the famous Molasses Act, which was a sort of protective tariff designed to force the mainland colonies to trade with the sugar islands of the British West Indies and not with the French Sugar Islands (1733); an act to prevent the issue of paper money (1751).

The third great imperial institution, the Crown, touched the Americans through four channels. (1) There were the two Secretaries of State, one of whom included the colonies in his jurisdiction. Through him most of the King's officers in the colonies were appointed. (2) There was the Privy Council sitting now as a genuine council, not as a judicial body, and advising the sovereign on matters of policy. (3) There was the Board of Trade, to which was left in large measure the serious business of studying colonial problems, overseeing the routine of colonial administration, and advising the Secretary of State or the Privy Council what had best be done. (4) There was an army of royal officials located in the colonies and paid by colonial money but directed from London.

It is of vital importance to remember that out of all this cloud of officials, near and far, no personal sovereign emerged resplendent—like the French sovereign—before the mind's eye in America. A system, not a person, demanded the American allegiance. If any one thing is of chief significance in American history, it is the fact that this community has had no visual contact with a personal sovereign for so many generations that now "the memory of man runneth not to the contrary."

Among the activities of the administrative system perhaps the nearest to a sovereign function was the practice of the Privy Council as the King's ultimate adviser. The Crown held the power of veto over all the legislatures of the royal provinces. This power was delegated first to the governors, finally to the council. If a provincial law was approved by a governor it was in force until passed upon as a matter of policy by the Privy Council, which might disallow the law for any reason that seemed to them good—such as detrimental effect upon the royal prerogative, or bad effect upon business, or some specific fault considered serious in London.¹ For example, the colonies, like all new countries with little available capital, were fallow fields for the propagandists of cheap money. Colonial laws establishing inconvertible paper currency were disallowed by the Privy Council merely as policy.

The civil service of the Crown in the colonies included several classes of public servants; among these a group that deeply impressed the American imagination were the judges of the Admiralty Courts, who, not being bound by the common law, could dispense with juries. Their courts had been set up chiefly with a view to convicting smugglers whom local juries would not find guilty. The regular colonial judges were also royal appointees. The Crown also appointed various commissioners with special duties, frequently in order to maintain good relations with the Indians. The Indian "superintendents" became of especial importance during the last French-American War (page 122).

The most direct connection between the Crown and the colonies was through the governors of the provinces. Royal instructions guiding a governor's policy flowed steadily from the offices of the

¹ This veto of colonial laws by the council as King's adviser must not be confused with the judicial review of legislation by the council as Supreme Court.

Board of Trade, or of the Secretary of State, to the provincial capital. It was through these instructions that a continuous tradition in the policy of the Crown was maintained. In the main, this tradition may be summed up as an easy-going mercantilism whose theoretical severity was tempered almost out of existence by a pervasive good humor, not to say laziness, which reigned in the London of that day.

(2) The Crown's Traditions

Part of this royal tradition was the increase of the number of provinces. The temper of the time forbade converting proprietary or autonomous colonies into provinces by drastic means. Nevertheless, the Crown was on the watch to bring about that result whenever it could be done without serious friction. When William reorganized the empire there were two autonomous colonies, Rhode Island and Connecticut, electing both governor and assembly and having a very vague connection with the Crown; four royal provinces, New Hampshire, Massachusetts, New York, and Virginia; Pennsylvania and New Jersey and Carolina were proprietary colonies; Maryland was in a temporary condition; Delaware was part of Pennsylvania, and Georgia did not exist.

In 1702 the proprietors of the two Jerseys, who were finding it very difficult to administer the colony with profit, were induced to renounce their governmental rights while retaining their landed rights. New Jersey became a royal province.

The proprietaries of Carolina were conspicuously unsuccessful. The sufferings of the Yemassee War, together with the general inadequacy of the government, brought about a rebellion of the colonists and an appeal to the Crown for direct royal rule (1719). The petition was promptly granted. After prolonged negotiation, seven out of eight proprietors sold their rights to the Crown and the two royal provinces of North and South Carolina were fully established. The eighth proprietary, Lord Grenville, was finally consoled by an enormous grant which created one of the largest estates in history. It was a constant area of discontent even until the outbreak of the Revolution.

The trustees of Georgia anticipated by a few years the termina-

tion of their stewardship and made over the colony to the Crown in 1753.

Thus the number of provinces rose to eight; the two autonomous colonies remained as they were; through other adjustments Penn's colony had been divided in two, the "Lower Counties" becoming Delaware under the same proprietor as Pennsylvania, while Maryland was again made proprietary (page 102).

The two little autonomous colonies were all but negligible, and the Crown made no serious attempts to get direct control of them. To bring the proprietary colonies into close touch with the Crown, the appointment of governor by the proprietors was rendered subject to the King's approval.

The Crown did not attempt to mould the internal institutions of the different royal provinces—let alone those of the other colonies—on any one model. Whatever it was in theory, each colony in fact was permitted to exercise the functions of a genuine state—not of a mere administrative district—and thus unintentionally the Crown fostered those tendencies toward virtual republicanism that had got under way in the previous century. By relying upon the colonies themselves to pay for the royal civil service in their midst, the Crown almost invited a perpetual quarrel over money. The assemblies demanded and gradually acquired the same rights and privileges that were possessed by the Houses of Commons in England and Ireland. They created officers of their own, such as the Colonial Treasurer, to watch the public business in their own interests. They sent agents to London who were their official representatives, acting as special envoys to the various departments of the Crown. Thus was grounded in the American mind another far-reaching idea. Long before the Revolution was thought of, every American had grown accustomed to think of himself as subject to two entirely distinct governmental jurisdictions, as in contact with two entirely distinct bodies of officials. No Englishman at home thought that way. When at last federal problems arose before the American mind, he had the Crown to thank because the most difficult feature of all such problems, the double jurisdiction of two governments on the same soil, seemed to him a matter of course.

The practice of the Crown dealing directly with each colony by itself tended, of course, to stimulate the impulse of the Americans

to think of each colony as a true community, as a social-political entity with a life of its own. The practice from the American point of view was most fortunate—assuming that the creation of a new nation was the great end of the American adventure—but from the imperial point of view it was quite the reverse. It tended to make the colonies self-centred; it minimized their interest in each other; it did not contribute to build up a consciousness of the needs of the country as a whole. The Board of Trade was aware of the danger in this policy and fitfully attempted to bring about a balance of interest among the colonies through some sort of colonial union. But nothing was accomplished. The despotic plans for consolidation in the seventeenth century were not succeeded by intelligent plans in the period when England under Walpole would have been friendly to colonial freedom. When at last an attempt was made, the governing class in England had swung back in temper to about the position of the later Stuarts.¹ This policy of the Crown, treating each colony as a unit with a communal life of its own, is well illustrated by the military system. As we have seen, the seventeenth century was practically done before a royal soldier set foot in the mainland colonies (page 99). Until the outbreak of the last French war, the Crown never maintained on our soil more than a handful of troops, though a few “independent companies” were raised by Parliament for service at exposed points in America. As a rule these companies were assigned to duty either in New York or in Carolina. This force was so small that it may be left out of the picture. The colonial authorities were expected to protect their borders from enemies on all ordinary occasions; and when imperial war came the Board of Trade was more likely to appeal to them to raise expeditions themselves than to plan expeditions for their assistance. As we have seen, all the great undertakings of the first three French wars originated either in one colony or through the voluntary action of a group of colonies. What could have tended more subtly to give each colony the sense of being a free state having ultimate powers of government vested in itself! At the same time, what plan could have been devised better calculated to make each colony jealous to preserve to itself whatever benefits came of a burden that it had borne by itself?

¹ For the famous Albany plan, see page 179.

Another equally significant feature of the military system was the fact that it was a system of requisitions. Though the Board of Trade had high enough views of what it ought to be able to do in America it was generally content to ask the colonial assemblies to raise troops, not to advise the Crown to compel them to do so. The great Pitt carried the system to its most complete development by systematically reimbursing the colonies for the costs they had incurred in raising troops. During the period of his ascendancy, Parliament made an annual appropriation for this purpose.

Here, as in so many other connections, the basis of later American history is laid deep in the eighteenth century. Long experience with requisitions from the general government, long freedom in complying or not, as they pleased, had prepared the colonies for their laxity in such matters when they became states in a confederation. Similarly, a hundred years of intercolonial jealousy must be borne in mind when we come to account for the stupid antagonisms among the states during and after the Revolution.

(3) Colonial Separatism

In some respects the individual colonies had more legislative freedom than have the states today. They levied customs duties—now prohibited to the states—at their pleasure; both imports and exports were liable to this form of taxation. When, in the dark days of the Confederation immediately after the Revolution, the states set up ruinous tariffs operating against one another, they were but doing what as colonies they had long been free to do.

The assemblies which levied and spent these taxes, which so jealously claimed to be miniature Parliaments, were composed in every case but one—Pennsylvania—of two Houses. The Upper House, generally called the Council, was not a popular body. In the provinces, with the exception of Massachusetts, it was appointed by the Crown. In Massachusetts it was elected by the Lower House. In proprietary colonies it was the creature of the proprietor. Though the council had a veto upon the legislation of the Lower House, the latter everywhere insisted on the English tradition that only the people's assembly—the Commons—could make grants of money. By means of this power the assemblies kept a sort of indirect control over the governor. Here again, the easy-going traditional

temper of the England of that day must not be forgotten. It was habitually averse to pushing constitutional theories to extremes. The Crown would command an assembly to provide adequately for its governor; but if the assembly haggled or evaded, or made small appropriations, at frequent intervals, refusing to settle matters for long periods, the Crown, though often talking about strong measures, was likely to let things drift from day to day without shaking a mailed fist.

In their internal institutions the colonies gave no heed one to another. Each community developed its own mode of local administration, growing out of the traditions of its founders and the accident of its experience. New England was divided into towns, with their town meetings in which the qualified voters formed among themselves a pure democracy. Virginia, on the other hand, formed a close imitation of rural England, with the landed squire at the centre of local government. In every colony before the end of the formative period, there was the equivalent of England's county system, with the sheriff as the chief county officer. The colonies were not democratic in the modern sense. The suffrage always was confined to property holders, and the sentiment of the time created and sustained an upper class that, if it did not control, greatly influenced the colonial government. From this virtual aristocracy, which included all the wealth of the colony, the councillors and other native officials were pretty certain to be drawn.

In the eighteenth century, in every country, the mode of holding land was still a vital question. In America, outside New England, the theory obtained that the dweller on the land was a tenant either of the Crown or the proprietor, and the institution of the quitrent prevailed. This slight tax was a constant source of trouble. Small as it was, it was bitterly resented. Along the frontier, squatters were constantly taking possession of unoccupied land in defiance of the law, and refusing to pay quitrents. This long-standing quarrel contributed to sow in many localities the discontent that sprouted at last into the deadly harvest of revolution.

In contrast to the other colonies, New England had granted its land in fee simple.

More important perhaps was the accidental matter of the size of the blocks of land that it was the custom to hold in this colony or

that. New England was always a country of small holdings. There, agriculture, from the beginning, was of secondary importance. From Maryland, southward, the holdings were always large. These agrarian communities were permeated by the traditions of the landed class of England. The accidents of climate and topography picked up these traditions and reinvigorated them. The further accident, at least on the Chesapeake, of starting their economic history with a crop that quickly exhausts the soil, tobacco, tended in the same direction; it stimulated the desire to hold a great deal of land.

The later sectionalism of American political history traces back to the contrasting land systems of New England and the Chesapeake, no less than to the contrasting social ideals of the Puritan and the Cavalier. There was a time when, unaware to any one in America, a deep unperceived question was how far that earliest south and that earliest north should extend their borders into the connecting middle country. New York, with its double system of land holding—small farms rubbing elbows with the principalities of the patroons—seemed at first uncertain which section was its destiny. Had the southern system and the southern tradition flowed over the middle country till it touched New York, consequences of great moment might have resulted. Pennsylvania made that impossible. The Quaker colony was founded largely by people who had little if any landed tradition. It became instinctively a land of small holdings—a dyke, as it were, along the northern edge of that southern land of great holdings which was thus checked in its extension northward. The theories of land title in the great Quaker dyke were of small consequence in comparison with the fact of its land-temper. There is more than mere accident in the historic significance attained by that famous line run by the English surveyors, Mason and Dixon, defining the boundary between Pennsylvania and Maryland, and separating the two sorts of landholding.

A coincidence in religious institutions also contributed to lay sectional foundations in the eighteenth century. The south approached at least a unity in ecclesiastical organization. It had indeed a few dissenters, especially in the back country. There was a small proportion of Catholics in Maryland, a Huguenot Church in South Carolina, small groups of German dissenters in Georgia, a few Baptists, many Presbyterians along the frontier, and, just at the end of the

formative period, the beginnings of the Methodist communion. But the Anglican Church was pre-eminently the dominant body, drawing into itself the most influential people and giving tone to society. The country above the south—hardly as yet “the north” though destined to become so—was overwhelmingly the land of the Protestant dissenters. Here Anglicans were in a very small minority, except in the one province of New York, and even there scarcely dominant. New York also had its small proportion of Catholics. Jews were extremely few. The vast majority of the population was contained in a large variety of denominations representing almost all the reformed churches of England, Scotland, Ireland, Holland, and Germany. Everywhere there was liberty of conscience, though Catholics, in that age when the bitterness of the preceding century had not spent itself, were under more or less disadvantage.

The sections had not developed any differences in their labor systems. Slavery was universal. In the latter part of the eighteenth century the largest slave-holding colony was New York.

Already, social and economic tendencies had developed two typical figures, while a third was emerging. The oldest of these was the planter of the south, who was not far removed in kind from the patroon of the Hudson valley. He differed from the patroon and from the European noble in not being a landlord. Instead, he was the head of an extensive agrarian establishment of his own. His overseers and slaves formed an elaborate little world by themselves, cultivating wide tracts of land under the general oversight of the planter himself. His mansion was generally at a considerable distance from the houses of other members of his class. The life lived in it was a pretty faithful imitation of the country life of England, with its generous hospitality and its love of outdoor sports. But there was added a loneliness—the sense of an empty landscape encompassing the solitary mansion, where gardens were often rimmed by a circle of distant forest—which England did not know.

The second typical figure was a new sort of merchant. He was produced almost altogether by the northern colonies. His traditions grew out of two sorts of trade both replete with danger, both certain to develop audacity and resource—the old fur trade with the Indians, and the later carrying trade that was sending his ships to the West Indies for sugar, to Africa for slaves, and to the Arctic

for whale fat, the material of the lucrative whale oil. The same temper that made England so careless about enforcing law created periods of amazing laxity in the colonies, and at such times many a merchant did not scruple to make good bargains with pirates whose ships were met for purposes of trade at recognized "stations." The prolonged commercial uncertainty of the wars for existence gave rich opportunities for speculative trade. There is no denying that many colonial merchants were often daring profiteers, trading with the enemy on a scale and with a boldness that drove the government to distraction.

Both these older types, whether in their good or in their bad specimens—and there were plenty of both—were characterized by energy, determination, self-dependence. The same is true of a third institutional type that now makes its appearance, the symbol of the back country. Long before the end of the formative period, a third typical figure, the American frontiersman, took his place in history. It is now impossible to detect his first appearance. He was beginning to appear from the first moment the transplanted Englishman began to adapt his inheritance to his environment. As an institutional figure he represents all those areas where the settler had to trust to himself to protect himself. His appearance in considerable numbers is evidence that a third region, economically and socially, has come into existence. It is neither north nor south—the back country. In 1763 it was a vague strip lying along the eastern face of the Appalachians and eager to overflow through the mountain passes into that abundant region which geographers know as the Great Valley—the vast corridor extending from New York to Alabama between the parallel walls of the Appalachians.

Thus the blending of geographical, economic, and traditional influences had produced before 1763 three distinct institutional influences: an aristocratic society predominantly commercial, north of the Line; an aristocratic society predominantly agrarian south of the Line; all along the west a scattered democratic society with no predominant interest beyond self-preservation.

(4) *The Common Law*

Underneath all the life of all the sections lay the most august of English institutions, the Common Law. It must be remembered

that the most vital law which a colonial founder transports is the implicit law inherent in his traditions, the floating points of view that determine his action as a citizen without his thinking much about it. The conceptions of individual privilege which inform the Common Law were in solution in the minds of the founders of the colonies; they colored their achievement in working out new social and political relationships. And yet, our separate legal history began with a question whether the Common Law had crossed the ocean. As far back as 1646 the disfranchised portion of the population of Massachusetts demanded of the General Court a code of laws more certainly in accord with the Common Law which the English people "by many years' experience have found most equal and just." The General Court replied with the rather startling assertion: "Our allegiance binds us not to the laws of England any longer than while we live in England." This statement, which appears to be so simple, might be juggled so as to have more meanings than one. Did it apply to the great principles of the English law or only to the specific enactments of the Parliament? Part, at least, of the reply of the court—known as "The Declaration of 1646"—seems to limit the statement severely. The court asserted "that our politie and fundamentals are framed according to the lawes of England, and according to the charter." The various colonial charters provided that the laws of the colonies must be in harmony with the laws of England, though no charter previous to that of Pennsylvania, in 1681, definitely stated that this provision covered acts of Parliament. The Pennsylvania charter specified that acts of Parliament were to be in force in the colonies, if Parliament so willed.¹ But from the beginning to the end of the colonial period the King

¹ At least, this was implied in the charter; says the King, "Wee . . . shall at no time hereafter . . . sett any imposition, custom, or other taxation . . . upon the inhabitants of the aforesaid Province . . . unless the same be with the consent of the Proprietor . . . and assembly . . . or by act of Parliament in England." Earlier charters did not mention parliamentary legislation. In the Virginia charter the colonists were to "have and enjoy all Liberties, Franchises, and Immunities . . . as if they had been abiding and born within this our Realm of England." The Massachusetts charter granted the right "to make Lawes and Ordinances . . . soe as such Lawes and ordinances be not contrarie or repugnant to the Lawes and Statuts of this our Realme of England."

As to acts of Parliament, it is important to distinguish between those that bore directly on the internal life of the colonies and those that were regarded as imperial. Of the latter sort were the Navigation Acts. The men of the time made this distinction.

The pith of the colonial charters is in most source books of American history,

was acknowledged to be sovereign over every colony. We have seen that the Privy Council, in its judicial rôle, assumed the supremacy of an imperial legal system binding upon the settlements in America. The action of Parliament subsequent to 1681, so far as America was concerned, will appear later, chiefly in Chapter IX. But the main body of the Law of England was to be found not in statutes but in the decisions of judges interpreting the familiar customs and the immemorial point of view of the Anglo-Saxon race. It was in the long sequence of legal decisions that many of the treasured rights of Englishmen, many of the social and political relations, peculiar to English civilization, were preserved. This was the permanent part of the Common Law. Just how far the Common Law was in force in a colony unless formally re-enacted by the colonial legislature is an interesting question for lawyers to wrangle about. What really counted was the fact that British subjects, whether in Britain or America, thought mainly in terms of the Common Law, and tended to bring about law codes in harmony with their thoughts. It is safe to accept the views of Richard West, counsel to the Board of Trade, who asserted that an Englishman in emigrating to the colonies carried "as much of law and liberty with him as the nature of things will bear."

During the eighteenth century two influences helped to strengthen the position of the Common Law in the colonies. The Crown appointed judges and attorney-generals who were steeped in its traditions; the colonists, as the charters disappeared and new royal provinces were created, saw that in the Common Law were enshrined those principles of English liberty, those traditional "rights of Englishmen" which they were so zealous to preserve. It was this fabric of traditional rights which underlay and made vital the assumption of liberty by the bold little colonial assemblies. It was the temper thus nourished which made possible so long afterward the verdict on the assemblies of a great modern scholar: "Within their walls, popular liberty, sometimes factious, it is true, and never fully representative, found a refuge at a time when it seemed likely to perish

notably in Macdonald, *Select Charters*. More complete collections are the government publication, *Charters and Constitutions*, and Thorpe, *The Federal and State Constitutions, Colonial Charters and Other Organic Laws of the States, Territories and Colonies Now or Heretofore Forming the United States of America*, 7 volumes, Government Printing Office.

from the earth."¹ Grounding the American view on ancient English tradition, John Wise spoke for all his countrymen, claiming complete heirship to all the "fair enfranchisements and liberties" which the English people had possessed "through immemorial ages," which had led them to hate arbitrary political power "as they hate the devil."

This great body of inherited law was a vital organism, a vast healthy plant, that adapted itself to new conditions and grew and changed with circumstance. New principles worked out in England during the period were eagerly seized by the Americans and, unless the Crown interposed a veto, were woven into the general pattern of the law. An example was the Habeas Corpus Act with its safeguards against arbitrary arrests. At least one new principle was definitely formulated by the Americans. In 1735 John Peter Zenger, a New York editor, was put on trial charged with having printed a libel upon the governor. This is one of those noted cases—a real *cause célèbre*—in which the court by a bold decision not based upon precedent sweeps aside old law and creates new law. Until then it was a rule of law that "the greater the truth the greater the libel." There appeared for the accused, Andrew Hamilton of Philadelphia, who perhaps may be ranked as our earliest lawyer of consummate ability. His eloquence persuaded the jury to defy the chief justice of the province and clear the accused on the ground that his publication was not a falsehood.

One way and another—by inheritance, by unconscious application, by conscious adoption of new English practice, by reconsideration under new conditions—the principles of the Common Law became at last so definitely the legal treasure of the Americans that the Constitution of the United States was compelled to draw from them, in the shape of the first ten amendments, our national Bill of Rights.

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¹ Osgood, *Colonies in the Eighteenth Century*, I, 36.

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CHAPTER VII

MENTAL AND SPIRITUAL BACKGROUND

(1) Sources of the American Mind

THE seed that was planted in the seventeenth century in America needs to be examined narrowly with a view to determining what powers of germination it had, not only as the source of institutions, but as a reservoir of intellectual influence.

We may recognize at least four streams of inherited thought flowing into America and fertilizing the new soil at the start.

(1) Everywhere more or less—and in some regions almost exclusively—the settlers in America had, as their mental furniture, the thoughts, feelings, ambitions, of those classes of western Europe that were actively concerned in recreating their economic world, or, in simpler phrase, improving their fortunes. If they were of the gentry they expressed the views of that landed class in England which was just below the nobility in social rank, the smaller landholders, the “squirarchy”—a stable class of excellent people, but who were, for their own day, rather “old-timey” country people, who had not been touched, or scarcely touched, by the brilliant urban civilization of Elizabeth, and were generally short of money. If they were of a rank below the gentry, their views were pretty sure to be those of the tenant farmer of the old world, who despite the

intellectual storms of a century earlier had settled into a quiet drift of thought that reflected placidly the thought of the landed classes. If the settlers of this first sort were traders or artisans, they were pretty certainly either the village dependents of the landed classes or worthy, industrious, often overworked townspeople who came to America to escape trying industrial conditions at home. This first main division in the new population helped to lay deep, as foundation for the mind of the coming American nation, the traditional point of view of later mediæval England—the spirit of clean manliness, a simple belief in unseen heavenly powers, honesty, a practical rather than a speculative use of ideas, regard for the Church as an institution of welfare, frank recognition of social classes as inherently necessary, an aristocratic conception of individual freedom.

(2) The second main division comprised all those—a very considerable proportion—who were preoccupied with religion and with ideas of political freedom growing out of the effort to escape from religious tyranny. Whether English, Dutch, French, German, Scotch, or Irish in origin, they had all about the same political preconceptions and about the same intellectual limitations. Their absorbing blend of religion and politics for purposes of intellectual self-preservation, under a dynasty that was not inclined to favor the dissenting churches, justifies the stimulating remark of Professor Osgood, "Magna Carta, the colonial charters, and the Bible taken together in idealized form embodied the truths best known to the colonists and from them came their highest aspirations." It is to be noted that he disregards the question of language. Because of the political cast of the problem of intellectual self-preservation, it mattered not what was the linguistic origin of these various groups which all aimed at religious freedom under the English Crown. English precedent and English political philosophy inevitably became the mental channels into which the thoughts of all these people were drawn.

(3) To both the preceding groups, America was the land of noble promise, of idealism either economic or religious. But for some from the beginning it was the land of license. That clash which took place between Boston and Merrymount (page 81), trifling in itself, was the opening gun in an obscure but terribly real

conflict that has gone on ever since, the conflict between the forces which, however narrow or short-sighted, had in some form the vision of moral beauty and the forces that were infatuated by moral irresponsibility. At least as early as Merrymount a stream of obscene thought began to flow into America out of the grosser minds of Europe. But it must not be forgotten that this was virile grossness incarnated in fearless men who carried their lives in their hands like a jest.

(4) From very early times the type of person which we now call "serf-minded" began coming to America. At first they were, as a rule, desperately poor people who sold themselves for a period in order to secure passage to the new world and a fresh start in life. Because of their "indentures," which made them temporary slaves, they are known as indentured servants. It is also plain that many dependents brought over by prosperous emigrants were virtually the same sort as the indentured servants. These people as a class can scarcely be said to have had ideas, but none the less they laid at the bottom of the new society a stratum of negative mentality that has never been adequately gauged. A long while was to pass before any effect of their lives appeared. In time the herd instinct of such people—their mental timidity, their lack of real intellect—joined with their desperate animality began to appear as their descendants rose out of the depths to the surface of American life.

We are only at the beginning of the study of these intellectual foundations of seventeenth-century America. Not until far more study has been given to the subject can we generalize with confidence either as to the territorial distribution of these several sorts of emigrants, or as to the relative numerical strength of the various sorts, or as to how they were commingled. But there is a general warning that has recently struck the imagination of all thoughtful investigators. In the past we have been too prone to regard only the visible, or more truly the vocal, part of our early population. Too often we forget that in Massachusetts—to pick a striking example—the 2000 emigrants who arrived in 1630 and 1631 included only a mere handful of "freemen," less than 20 altogether. To control the multitude who were with them for other than religious reasons, to prevent it from going off into the wilderness and founding a colony of its own, the oligarchy of "freemen" made conces-

sions and permitted a considerable number to join their ranks (page 79). Nevertheless, five-sixths of the population were still outside the controlling body. It is those five-sixths that we have so often forgotten. The distinction, at first, was not a class distinction. Some of the best-educated and best-born of the colony were outside the governing one-sixth because they would not conform to the Puritan Church (page 80). From the five-sixths and their descendants grew powerful tendencies that have not had their due in reckoning up the total result. If this is true of socially important groups—as is the case with such people as the Anglican minority in Massachusetts—it is still more true of the baser elements typified by Merrymount and the desperate ones typified by the indented servants.

(2) Survivals in the American Consciousness

No bold psychologist has yet explained why the European forgot what he did forget, or remembered what he did remember, in transforming himself into the American. Here, again, we are on difficult ground, the study of which has only begun. But several points insist on being recognized.

For some strange reason the European as a rule forgot his folklore when he crossed the Atlantic. Our American landscape lacks fairies. The exceptions are so few that they demonstrate the rule. Saint Nicholas and his reindeer, which dear Dutch people saved for us in New York, is the most conspicuous one.

Music was the only art outside literature that came in at the beginning. All the colonists seem to have been friendly to it—perhaps the wilderness compelled them to find in song an escape for their souls. The most notable contribution in this field came with the Germans. The glorious Bach Choir at Lehigh University, today, is in direct descent from the mystical religious mood of the early settlers of Bethlehem, who were chiefly of the Moravian denomination.

The pre-Shakespearian origins of the mental life of hosts of English emigrants is evinced by the reappearance everywhere in the back country of the English balladry of the later Middle Age. At this day in the cabins of the Kentucky Mountains there are sung by the winter firesides, or beneath the summer moon, warped and

twisted forms of old English ballads that were sung under the shadows of a castle, or even in Sherwood Forest, centuries ago.

A few ancient superstitions persisted in the American mind subconsciously, especially those indelible ones that record the power of Artemis. Until well into the nineteenth century countless American farmers would not slaughter their hogs except under proper conditions of the moon.

(3) Earliest Mental Reaction to New Conditions

When we pass 1689 and enter our formative period we emerge into clearer light, also into a period that has had more searching study. After that date every American community contained a considerable number of people in whom local conditions had had time to begin producing a distinctive effect. Not a few of these people were the third generation on American soil. In them the blend of transplanted ideas with reaction to circumstance had reached the point where it could begin to be a powerful source of contagion infecting more or less even the newest comers.

Two considerations stand forth in glaring light. The American infection as it was germinating in the young people of 1689 issued out of (1) three generations of contact with barbarians and (2) three generations of contact with the wilderness. The insidious pervasiveness of these contacts intellectually cannot be overestimated. They continue throughout the formative period and play their great part in creating the American character.

(1) Of the two, the contact with the barbarians is the more obvious in its effect—at least there is a plausible argument for this impression. Contact with savages generally has an insidiously bad influence on civilized people. But while our forefathers may have been hardened peculiarly in their Indian wars, there were ways in which that experience did not change them. To the credit of the Americans, they seldom, if ever, inflicted Indian methods upon other white men and never upon white women. But it cannot be denied that they paid the Indian in his own coin. From King Philip's War onward we were slowly blunting our racial sensibilities, preparing ourselves unawares for that cruel maxim of the later frontiersmen, "The only good Injuns are them that are dead."

Apparently, even at the beginning, the transplanted Englishman

had a peculiar sense of race. This, it would seem, was why he could not treat a white Frenchman, however much his enemy, in the way he could treat a red Indian. Certain it is that before the end of our first century the American had established in his consciousness that fierce contempt for the "inferior" race that was formulated in his contact with the barbarians of the seventeenth century, and was ruthlessly—perhaps irrevocably—hardened in the wars of the eighteenth. Certain forms of spasmodic but intense cruelty, not easy to estimate correctly, took their place among American characteristics.

It has been subtly argued that this contact with barbarians explains in part our most passionate displays of cruelty, such as the famous witchcraft delusion which occurred at Salem (1692), in an overwrought moment when every one knew that a terrible Indian war was about to begin. The facts are that a wave of hysterical credulity inundated the place, that perfectly innocent people were accused of witchcraft, and before the madness passed nineteen supposed witches were executed. But it must not be forgotten that belief in witchcraft was common throughout the world in the seventeenth century. Barbarian contact may have induced this particular outbreak; it could not have originated the terrible belief.

Even more appalling were later instances of wild panic and hysterical vindictiveness produced by rumors of abominable conspiracies. The worst of all was the so-called "negro-plot" to burn New York (1741)—undoubtedly a pure delusion, but which led to the burning at the stake of fourteen Negroes and the hanging of eighteen others.

Significant also are the deep reactions of feeling that have often succeeded these bursts of incredible rage. In the case of the witches, the General Court shortly afterward decreed a public fast in humble confession of the sin the community had committed.

(2) The part played by the wilderness in remoulding the European and making him over into the American cannot be summarized until many keen observers have scrutinized the evidence with eyes of insight and imagination. Three suggestions are obvious: (A) All the religiously minded emigrants were possessed by thoughts that dwelt upon the unearthly. All of them had one religious trend in common. They were mystics finding their deepest consolation in the thought of direct emotional contact with God. The loneliness

of the soul seeking God in the awful mystery of its own formless thought was the key to their inner life. For such people the poetic stimulus of the virgin forest is a power not to be overestimated. It explains what was meant by a modern Californian author when she said that in her religion she had to go "either to Milan Cathedral or to the redwoods."¹

There is also to be considered (B) the effect on every frontiersman of the infinite danger of the American forest as it was in those days, when the red and white races had developed their relentless hostility. The spiritual mystery of the woodland gloom was reinforced by the physical mystery of the possible enemies that might lurk within it. The resultant frame of mind is best expressed by Cooper in that masterpiece of character creation, *Leatherstocking*.

Lastly, there was (C) the invitation of the forest, through its perfect freedom, to let all that was licentious in man run wild. And this, of course, has a mental as well as a moral significance. Does the extravagance in thought and expression of the modern American trace back in part to his forest origin? He were a bold man who would answer certainly, No.

(4) *Beginnings of Free Literary Expression*

Let us turn now from these obscure foundations of thought that are hidden as yet in the unexplored lives of the mass of the early Americans, and glance at what came into plain view in the formative period. Early in the eighteenth century we meet with intellectual life in America that stands on its own feet, that is not a mere adjunct of religion or politics, as was most of the intellectual life in America in the preceding century. The mental development of this period is most easily grasped if we think of it in three stages—before about 1735; from about 1735 to 1745 or 1750; the remaining years of the formative period.

Before the close of the first of these sub-periods every colony had something in the way of an educational system. In many cases the beginnings went back into the seventeenth century. Massachusetts

¹ It is always fortunate when history can enlist the aid of those subtler forms of thinking that are found in art. Turner's "*Esecus and Hesperie*" should be studied for its forest interpretation by every American who wants to know what this author meant. Far simpler, and therefore perhaps more generally helpful, is Kipling's *The Miracle of Purim Baghat*.

and Connecticut had made primary education obligatory. Subsequent to 1715 whenever a new town was laid out it usually set apart a school tract—a custom that was expanded a hundred years later in the west. Several famous schools now in existence—like the Penn Charter School at Philadelphia and the Collegiate School in New York—date back to the seventeenth century. Maryland and Virginia and the Carolinas were equipped with schools that cared for the children of the gentry. Three colleges had been founded—Harvard (1636), William and Mary (1693), and Yale (1701). Newspapers had been started, such as *The Boston Newsletter* (1704), *The Maryland Gazette* (1727), *The South Carolina Gazette* (1732), *The Virginia Gazette* (1736). There were a few libraries, the Boston Library, the Library of the Philosophical Society of Philadelphia, and in some of the more spacious private houses.

A new educational influence appeared soon after 1700. The Society for the Propagation of the Gospel organized by the Church of England (1701) sent missionaries to America, founding schools and libraries as well as churches. The S. P. G., as it was called, had little permanent influence on the religious situation in America. But it is more than likely that this active effort of London to get in touch with American life had an indirect effect in stimulating American contact with the world of polite letters in England.

Against this general background our independent intellectual life—restricted of course to a comparatively small class—begins. The character of its earliest product illustrates a lamentable fact in literary history. The great development of Elizabeth's day had met with disaster. The closing of the theatres in the confusion of the Civil War cut the thread of England's artistic continuity. For a long time the Elizabethans were forgotten; when at last they came back to their own, they came as conscious recoveries from a past that was much more remote in thought than in actual time. For America, as for London, modern literary taste was formed by a new school of writers who had little in common with Shakespeare and Milton. The poetry of the new day was Queen Anne's poetry. The masters were Dryden, Addison, and a little later, Pope. In prose, *The Spectator* and *The Tatler* were the great things. It is evidence that Americans were beginning to be a part of the world's

current—not merely self-absorbed adventurers seeking a new world of their own—when they began to react promptly and intelligently to the literary mode of the capital of the empire. The first American writer who displayed this sensitive reaction to contemporaneous influences was a Virginia gentleman who possessed a great estate and built for himself at Westover one of the most beautiful—though, of course, not one of the largest—houses, built in his generation, either in England or America. William Byrd fashioned his house upon the prevailing English style. His writings—none of which were published until long afterward—were just what one might expect of a charming and witty gentleman of the age of Addison, such a one as any of us might feel at home with at the present hour. He was a member of the commission that laid out the boundary between Virginia and North Carolina. His *History of the Dividing Line* gives an entertaining account both of manners and adventures.

Byrd may symbolize all the educated class of his day in the colonies. For a gentleman of the south to be thus responsive to London was natural enough. The south had no tradition of hostility forming an emotional barrier between itself and the capital. What happened in New England was evidence that a new day was coming. There, between the old men and the young men, in the first quarter of the century, a chasm was opening. Cotton Mather was typical of the older generation. He stood for uncompromising control of the state by the descendants of the original one-sixth (page 146), for unbending Calvinistic orthodoxy, for a rigidly conventional mode of life that fixed its eyes upon the past, drew all its inspirations from the Scriptures, and refused to believe that the world could change. He wished to be president of Harvard. But already the influence of the more liberal portion of the ruling class was sufficiently strong to prevent his attaining his goal. It must have seemed all but unbelievable to Mather, in his later years, when the Reverend Mr. Byles of Boston won applause writing verses in the manner of Mr. Pope. Only a year before Mather's death (1728) Byles was sending his poems to his literary master "to let you see a little of the reputation you bear in these unknown climates."

About the same time a young printer in Boston, a certain Ben-

jamin Franklin, shocked his neighbors by refusing to observe the Puritan Sabbath. One of the most cherished traditions of the class of Mather was their maintenance of the twenty-four hours from sundown Saturday to sundown Sunday as an inviolable day of consecration. The ancient Jewish Sabbath was rigorously imitated. A generation earlier no one in Boston would have dared take liberties with the Sabbath. But when Franklin stayed away from church and devoted the day to reading and study, public opinion let him go unscathed. The descendants of the five-sixths of the earlier day were coming into their own. They were making innovations even more serious than a changed view of the Sabbath. They were beginning to read sceptical books. When Franklin migrated to Philadelphia and set up a bookshop, he straightway issued the works of Voltaire.

Meanwhile a manifestation of independent thought, apparently quite different, was going on away from the narrow zone of coast culture in that back country which was destined before the century's end to enter upon its great career. The American of the coast zone had revealed mental independence in academic terms by responding promptly, intelligently, to a contemporaneous movement in the world of letters. The American of the back country, in attempting to carry his point at Indian conferences, showed corresponding mental quickness in creative terms by devising a literary style determined mainly by the response of his audience and by his own Biblical traditions.

The coast response to Addison and Pope is the beginning of American literary criticism. The speeches of Indian agents like James Logan are the beginning of American literary creation. Though Logan had a conspicuous career in Pennsylvania, was something of a scholar and doubtless prided himself on his translation of Cicero which Franklin printed, the irony of history may at last preserve his name at the head of native American literature because of certain talks he had with painted barbarians. In these speeches English prose acquired a new note.

(5) *The Great Awakening*

Underneath this new intellectual life, conditions were preparing for an intellectual upheaval. There were many signs that suggested

a possible renaissance of severe and simple faith. Europe was beginning to simmer with a revived desire for holy living. In England the soul of John Wesley trembled as there unrolled before him the vision of a new type of spirituality. It was this vision that was to make him one of the leaders of men. Wesley spent a short time in Georgia and was profoundly impressed by the saintliness of a band of Moravian emigrants who settled there. In Germany the Lutheran denomination, which was soon to send to America Peter Muhlenberg, was afire with a refreshed missionary zeal. In New England, the orthodox clergy, deeply terrified by the spread of infidelity, felt a quickening of spiritual desperation. They complained that true religion was dying out, that the Church was being invaded by worldliness.

It often happens that just at the moment when old things seem to be passing away a great genius suddenly appears, gives them a new turn, and profoundly affects after time. Jonathan Edwards has his place in the first rank of the great mystics. He is also a writer of impassioned lyrical prose that can hardly be excelled. The subtleties of his theology cannot be expressed in a mere summary, any more than can the beauty and terror of his wonderful words. To many moderns he will seem as remote in his views as Thomas Aquinas or Saint Augustine, in rivalry with whom as master of one form of Christian thought he holds his assured position. Though his whole life was a protest against the new school of thought and letters, his style has some of the best qualities of that school—the strength of Dryden, the lucidity of Addison, the suppleness of Pope—but it is more intimately related with the Biblical tradition of his own theological group, and also contains something peculiar to himself, something by virtue of which he is the first great writer—and one of the very greatest—that America has produced.

Edwards was pastor of the Congregational Church at Northampton, Massachusetts. Sermons which he delivered there in 1734 mark the beginning of a series of revival movements known eventually as The Great Awakening. The peak of the movement was in 1740, when George Whitefield, who was co-operating with Edwards, held at Boston a series of services that form one of the most astonishing religious events in our history. Whitefield had been associated with Wesley. He had come over to Georgia from

England as a missionary, and had journeyed through all the colonies preaching with extraordinary effect. His visit to Boston, with his insistence on the need of his time to receive a new baptism of Christian mysticism, might be named appropriately because of the special cast of his thought and speech, "The Congress of the Holy Ghost."

A great new tide of religious ardor was pulsating in at least three countries—England, Germany, America. It was not so much a matter of belief as of temper. It was felt with equal strength by the Lutherans in Germany, by the followers of Wesley in England, and by the followers of Edwards in America, though each of these was separated from the others by sharp differences of theology. Despite these differences all participated in the movement—or rather series of movements—of which The Great Awakening is a conspicuous example. The distinguishing features of The Awakening—to confine ourselves to the American instance—were four: Dread of what seemed to the leaders to be mere worldliness and scepticism; an attempt to meet this by reanimating traditional beliefs; a demand for a return to simpler, less luxurious modes of living, even going so far as to rouse the "plain people" to assert themselves in church government against the ruling classes; a willingness to abandon the older conception of the clergy as a sort of spiritual aristocracy and to allow uneducated men to enter the ministry. It tended, therefore, toward a recognition of spiritual equality that came as a shock to the ruling powers in the American churches. Before long the less educated and more excitable persons among those who were touched by the new contagion began to disregard conventional religious forms and to express themselves with a vehemence that further shocked the conservatives. As The Awakening progressed the effect of these incidental issues—the *how* of it, rather than the *what*, its class significance even more than its religious significance—became the real question of the hour with results that were far-reaching.

(6) *Religious Issues Become Social Issues*

These results were both positive and negative. As to the positive results—certain forms of Protestant Christianity took on new life

and reformed themselves on lines that were to persist unchanged for a century, and in part to this day. As to the negative results—those portions of the community that were not affected by The Awakening, or that reacted against it, were stimulated into self-consciousness and they also assumed definite forms that are still recognized.

The Great Awakening was the first general event that transcended colonial boundaries, that even partially brought Americans into kindling touch; characteristic of both the main influences that flowed from it was the continued tendency to disregard local boundaries.

Among the positive consequences of The Awakening should be included first of all the resensitizing spiritually of great numbers of people who were filled with a recovered ardor for personal, in distinction from institutional, religion. To repeat, this contagion did not confine itself to any one denomination or any one religious philosophy. It cleared the way for the rise of several new forms of Christianity, especially those that were the outcome of Wesley's life, and which, at last, in the shape of the Methodist Church, became widespread in America.

A very striking effect was the introduction of a new figure into American religious life, the itinerant preacher. Both the Edwardsian and the Wesleyan movements, as well as others now to be mentioned, committed their new purposes to the travelling evangelist. Whitefield was the first and most conspicuous example. His whole ministry was a continual roving—from London to the back country of Virginia, from Savannah to Boston. His genius and his popularity made him secure. But many preachers of the new type provoked hostility. Connecticut passed a law forbidding itineracy. Erratic clergymen whose roving services remind one of the modern "revivalists" were imprisoned under the law. There were contentions in various colonies between the authorities and the itinerants. But these devotees could not be suppressed. Throughout the last twenty years of the formative period and thereafter during seventy years more, the itinerant preacher was as potent a factor in American life as ever were the begging friars in mediæval life. Many of their names will gradually be remembered and take their places on the broad page of history.

Some of them belonged to sects that had little in common with The Awakening. Perhaps the most remarkable of them all was a Quaker, John Woolman, who may justly be compared with Saint Francis of Assisi. Woolman's *Journal*—not published until after his death—belongs to the new native literary tradition that links back most intimately to the Bible and has kinship with Logan and the speeches to the Indians, but is far away from that "high priest of an age of prose and reason," Alexander Pope, and his American imitator, Byles. *The Journal* is justly considered a masterpiece of exquisite directness and simplicity, a sort of prose that glows with latent poetry.

One reason why the itinerants were not extinguished despite the opposition of a new conformity was the fact that in most cases they worked at a distance from authority. They were the prophets of the remoter settlements, the holy men of the edges of civilization, the rovers of that back country (page ***) which was only just now coming into a sense of its own existence. Among the woods and the mountains to the westward, or among the humbler villages of the open parts of the east, these mystics, who often had no certain means of support, passed from village to village, or farm to farm, vitalizing monotonous lives by the strong impact of their fervid imaginations. Unlearned, as a rule—representing many sects—they made for democracy.

In its final outcome The Awakening roused a widespread protest against the control of the American churches either by the state or by those rich and contented factions among whom the lax views of the day were strongest. These factions, when The Awakening proper came to an end, seemed to have defeated it. That apparent spiritual victory at Boston was short-lived. In the reaction that followed, the emotional tide was rolled back out of the wealthy classes into the less prosperous ones, out of most of the seaboard districts into the interior districts. The victory of the reactionaries went so far that it captured even Edwards' own congregation. He was driven from his pulpit and for several years ministered to an obscure frontier village.

The Presbyterian Church, which was widely spread in the middle colonies, had felt the shock of The Awakening, and had developed within itself two parties upon substantially these lines—a party of

staid and conservative temper, the "Old Side," and one that sympathized with the missionary, evangelizing temper of the followers of Edwards, the "New Side." The division was not theological. Here, as so often, the real religious distinctions were not matters of belief but matters of temper. It was a separation of conservative and aristocratic religion from progressive and democratic religion. Both factions were composed of people whose abstract views were much, if not quite, the same.

Here also was involved the question whether uneducated men should be admitted to the ministry. Stripped of all disguises, this was largely a social question. The progressives wanted to make use of every preacher of talent that could be found, no matter how humble his origin or how defective his education. The conservatives wanted to retain the ministry in the hands of those highly educated persons who were pretty certain to be identified socially with themselves.

For a short time the Presbyterian Church was split in two. The "Old Side" condemning itineracy and illiterate preachers, and standing pat for the familiar forms of worship, comprised the Synod of Philadelphia. The "New Side," believing in itineracy and freedom to preach, and full of zeal for new methods, comprised the Synod of New York. Here was an instance of the reflection in ecclesiastical organization of purely social points of view that was to be illustrated again near a hundred years later when churches split upon slavery. The activities of the New Side illustrated also the tendency of these new movements to cut across colonial boundaries. The back country everywhere was chiefly a country of dissenters. In New England it was drifting away from the established Congregational Church; in Virginia and the Carolinas from the Anglican Church. Presbyterians lately arrived from Scotland or Ireland were pouring into the back country of Pennsylvania, Virginia, and the Carolinas. To care for these the Synod of New York formed the enormous Hanover Presbytery that stretched over all this western country and took its name from Hanover County, Virginia.

Though the New Side championed freedom of preaching, it had no mind to restrict itself to an illiterate clergy. One of its earliest movements was the founding of the College of New Jersey (1746), now Princeton University, which later signalized its devotion to

the cause of The Awakening by calling Jonathan Edwards from his retirement and electing him its president (1758). To him succeeded as president, Samuel Davies, one of the most famous preachers of the Hanover Presbytery. The complete victory of Edwards and the New Side came at last (1768) when the Synod of Philadelphia consented to a reunion with the Synod of New York.

What had really been accomplished by The Awakening was the spread of a new social point of view. The temper it had infused into all the denominations that were caring for the spiritual needs of the back country was a free individualistic, forward-looking, buoyant, expansive temper that planted the spiritual life of the frontier, no matter what its theology, firm on a faith in the truth of Luther's hymn, "A Mighty Fortress Is Our God." That faith was needed on the frontier in the terrible days of the last French War, when fire and slaughter so harried it that the brave spirit of Washington almost lost hope. It was a democratic temper. It knit together all the frontiersman's impulses to deny the right of the older and less turbulent forms of society to dictate to him. As we shall see, this frame of mind became, a generation later, a power in politics.

(7) New Intellectual Expansion

While all English America was thus being shot through with mental and spiritual restlessness, the effect was not confined to the sphere of expansive religion. Quite as important in the long run were the reactions of the conservatives. These are what may be called the negative results of The Awakening. They arose among those portions of the Protestant Churches that had caused men like Edwards such deep alarm—people who had not been carried away by the excitement of the hour, who charged the revival with too much emotionality, and with the resurrection of mediæval philosophy.¹ They found a spokesman in the Reverend Charles Chauncey, a master of clear, calm, and destructive debate. He and Edwards fought it out in books that are at once models of courtesy and of unsparing argument.

¹ Edwards intellectually is in direct descent from Augustine. The originality of Edwards was in his unsurpassed power of metaphysical imagination, the power that sets him beside Aquinas.

Out of this reaction against The Awakening came a new crop of unorthodox tendencies. That same Franklin who had begun his free thinking in the old Boston, before The Awakening, wrote that his mother was much troubled because one of her sons was a deist and another "an Arminian, whatever that may be."

In Chauncey and Franklin and others who reacted against the severity and the imaginative passion of The Awakening the tendencies which expressed themselves in the admiration of Pope, "high priest of an age of prose and reason," took renewed life. America through its own experience was getting ready to produce its own phase of that enthusiasm for the purely rational in life and thought that was soon to sweep over the world and usher in the age of revolution. But it must not be supposed that these conservative classes, socially speaking, were animated by negative ideas alone. There was stirring in the world not only a new religious enthusiasm, but a new secular enthusiasm. Perhaps the deepest concern of men like Chauncey and Franklin was the desire to keep the two things separate. There is no denying that the apostles of The Awakening wished to draw all the energies of their countrymen into religious channels. Their opponents aimed not to suppress religion, but to expend a great part of the surging energy of the time upon the development of other interests—art, science, what we call today "welfare."

The third quarter of the eighteenth century with its margins, so to speak, forms a period of high distinction, a new springtime of thought and feeling throughout the world. Besides these great movements that have been indicated, coming events that cast their shadows before were the new science of which Priestley is the symbol; the new mechanics symbolized by Watt and Arkwright; electricity with the American Franklin for its symbol; the new literary spirit which finds a significant date in the appearance of Johnson's dictionary. Voltaire was at his height. Montesquieu was a brilliant new figure. Blackstone and Adam Smith and Emmanuel Kant were deep in creative labor. Above all, for us who speak English, this was the period of the renaissance of the Elizabethans.

In the fifties and sixties, despite the shadow of the last French War, America seemed to be taken possession of by new curiosities, new interests, new desires. Five new colleges sprang to life—Prince-

ton (1746), University of Pennsylvania (1749), King's, now Columbia University (1754), Rhode Island College, now Brown University (1764), Dartmouth (1769). How Princeton came about we have seen. Dartmouth was the outgrowth of a new zeal to convert the Indians, which in turn was an offshoot of The Awakening. King's marks an Anglican revival. The Awakening had caused a renewal of effort by the S. P. G. Those dissatisfied conservative classes which thought The Awakening meant the triumph of influences too definitely popular began to look with new favor on the staid beauty of the Church of England. Long before The Awakening, back in the days when Byles was writing his poems in imitation of Pope, a little group of Connecticut clergymen seceded from the Congregational Church (1722) and joined the Church of England. The ablest of these was Samuel Johnson. Throughout The Awakening he persistently opposed it. Now that it had gone by he was a chief figure in an outburst of Anglican energy. A result was the establishment of King's College with Johnson as its first president.

The intellectual creativeness of the time translated its religious ardor into beautiful architecture. America was beginning to produce genuine architects. The Anglican expansion may have caused the importation direct from London of the design of Saint Michael's, which still stands at Charleston, but there is no doubt that beautiful Christ Church, at Philadelphia, was designed by an American, as was probably its architectural rival, Saint Paul's, in New York. In New England the vigorous spiritual life of the time originated a lovely new type of church building, inspired, as was all this American architecture, by the school of Sir Christopher Wren, but delicately and subtly informed with an artistic temper peculiar to itself. As far back as 1729 Boston had broken from its early tradition of the ultra severe "meeting house" and built a Wren church, the Old South. It was in the midst of the glowing life at the close of the formative period that America made her first definite contribution to the plastic arts by developing from the Wren basis a distinctive church spire "the delicate white steeple on open arches" that is justly famous. The colonial towns generally showed a quickening of the intellectual life. New libraries were founded, such as the Charleston Library Association (1748), which also became the

nurse of the first American museum, the Charleston Museum of the present day. The Lancaster Library at Lancaster, Pennsylvania (1759), was equipped for astronomical study. The Georgia Library was founded in 1763. Quite as significant was the business done by the prosperous booksellers. Blackstone's *Commentaries* six years after their publication were so much in demand that Richard Bell of Philadelphia imported in one year a thousand sets besides issuing another thousand in four volumes royal octavo to be sold on subscription. Private libraries in this last portion of the formative period—the portion after The Awakening—began to show French books in considerable numbers. Several English magazines circulated in America, among them, *The London Magazine*, *The Gentleman's Magazine*, and *The Court Calendar*.

To this period also belongs the establishment of the theatre in America. The first professional companies appeared in 1750, and thereafter English actors frequently appeared. There were not as yet any permanent theatres—not until 1766, when the first, the Southwark, was built at Philadelphia—and no play of American authorship until one Thomas Godfrey in 1767 produced in the Southwark his impossible tragedy, *The Prince of Parthia*. But all along from 1750 to the end of the period the visiting actors, in such halls as could be adapted, produced the plays that were popular in London—the atrocious melodramas of the day relieved now and then by a tragedy such as Addison's *Cato*, and occasionally—promise that a new day was soon to break!—by *Hamlet*, or *Lear*, or *The Tempest*.

In the last decade of the formative period there was much vigorous thinking. In 1763 Americans may be thought of as in full sail upon the stream of the world's thought. Intellectually they were navigating their own ship with their own ends in view. By common consent we have fixed upon Franklin as the symbol of this moment, when America truly finds herself intellectually. He is in chronology our second great writer, though more than one European has ranked him first in point of genius. A humanist, a scientist, a wit, an incomparable man of affairs, he has in him a shrewd, curious something not found in any man of genius of any nation except his own. He is naturally ironical and yet without malice and with no scale for the measurement of anything except the degree to which it can

get its work done. In his complete freedom from class prejudice he anticipates Napoleon's maxim, "the tools to him that can use them." He is practical, serene, calculating, kind, and unflagging. Such books as his *Poor Richard's Almanac* or *How a Great Empire May Become Small*—a satire on the policy of the Crown—are inexhaustibly diverting. He comes as near as any one to embodying American humor. As an amateur scientist he made the important discovery that lightning and frictional electricity are the same. When Franklin was elected a member of the Royal Society, the strictly provincial period of American intellectual development was virtually at an end.

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CHAPTER VIII

A NEW NATIONALITY EMERGES

AT the close of the formative period the American people numbered about a million and a half. They were distributed chiefly along the coast and in the valleys of the rivers. There were a few small towns. The largest was Boston with less than 30,000 inhabitants. Its rivals were New York, Philadelphia, Charleston. As one journeyed inland population grew rapidly sparse. In the wide belts of land separating the rivers of Pennsylvania and of the south, and all along the headwaters of the rivers, settlers were few. Only a very few had crossed the mountains and begun the occupation of the western slopes.

In origin the Americans represented many nations, but the overwhelming proportion were of English descent, though Scotland, Ireland, Holland, Germany, and France had all made substantial contributions. Pennsylvania had drawn largely from Germany. Other Germans had found their way up the Hudson to the Mohawk and thence had ramified into western New York, and a few had settled in Georgia. The Scotch and Irish, coming in for the most part at Philadelphia, had ramified into the back country, all up and down the frontier, contributing a large part of the population of western Pennsylvania, western Virginia, western North Carolina, western South Carolina, and northern Georgia. The remainder of the south and all New England was pretty solidly English, with a slight French admixture due to Huguenot immigration. Eastern New York was already a richly mixed population—Dutch, English, Irish, and French. But even there the English was the most prominent factor.

But diversity of origin was not an important consideration. The most characteristic thing about America is its power of assimilation. By the middle of the eighteenth century that moulding process, which has gone on ever since, was at work blending newcomers into

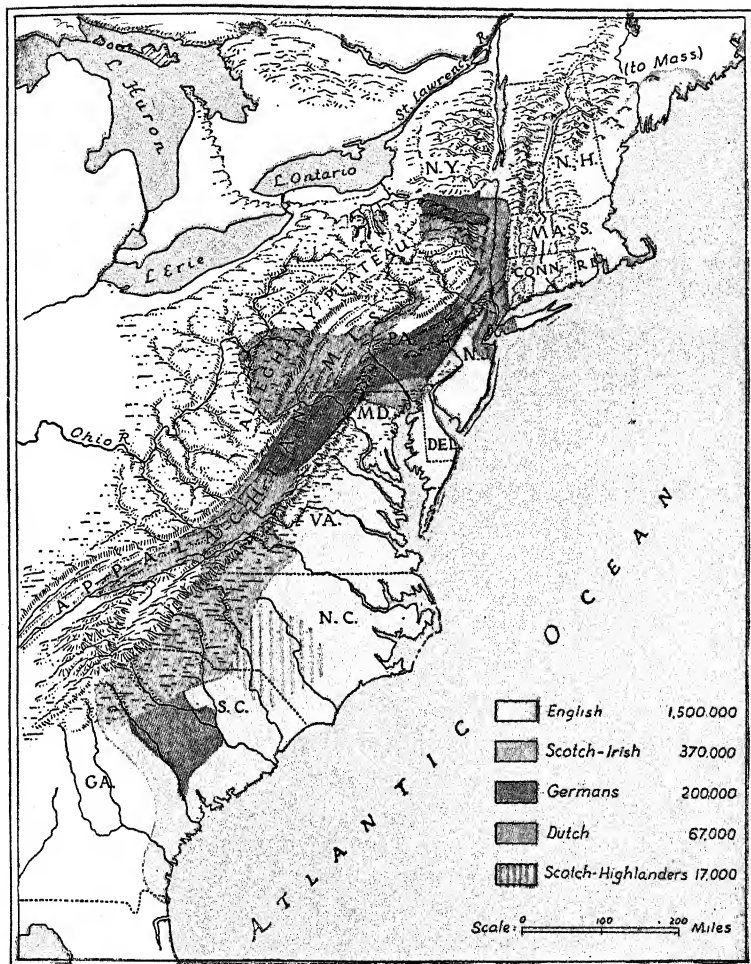
the life of the older population with astonishing rapidity. Americanization—though no one had thought of the word—was in full career long before the American Revolution.

The process through which a new nationality is developed out of older nationalities is one of the obscure things that are not yet fully understood. Why was it that all the northern nationalities when they were transplanted to America were transformed into pretty much the same result? Was it that the dominant English strain, in its new form, gave its tincture to all the rest? Was it that the wilderness affected all these emigrants so powerfully that their response to it made them over, all in a new pattern? Or was it that the northern nations in the seventeenth and eighteenth centuries were in a strange, ill-understood condition corresponding to that condition in a plant when suddenly it "throws a sport," as botanists say, and produces offspring unlike itself? Is it possible that nations pass through similar inexplicable experiences and that something of the sort took place in our colonial period? Or was the process of national generation a mysterious compound of more than one of these baffling developments? Here are subtle and difficult questions, reflecting upon which it is easy to lose one's head and to become foolishly dogmatic. All that it is safe to assert is that by the middle of the eighteenth century there had appeared in America a distinct new nationality, that whatever had created it had also endowed it with great power to make over in its own image new emigrants who joined its company, and that this power has been one of its characteristics ever since.

No one has ever succeeded in summing up accurately a distinctive nationality in a few words. This American people when it made its first definite appearance had the same characteristics which it has today. The world at large has not found it easy to give adequate account of what these characteristics are, though never questioning the fact of their distinctiveness. In a mere summary, one must be content to point out only the few characteristics that cannot be missed—energy, individualism, courage to the point of rashness, such swift response to circumstances as to lead foreigners to charge us with being mercurial, shrewdness, good humor, self-confidence, an almost passionate generosity along with fierce partisanship, ideal-ity. Of course, a nation like an individual has "the defects of the

qualities." Every light has its shadow. As our story unfolds we shall see the American display not only his characteristic strengths but also his characteristic weaknesses, the shadows of the strengths—such as courage degenerating into ruthlessness, or partisanship becoming intolerance, or energy evaporating into mere haste, or individualism burning out into selfishness. Perhaps the most distinctive limitation that is yet to appear will be a certain overdoing of his sense of directness, of immediate utility, a failure to allow for the indirect influences, the unobvious values, that arise in old and complicated civilizations; it is this characteristic which, at times, has made him incapable of understanding Europe, and Europe incapable of understanding him.

A step toward the comprehension of any people is the formulation of the major ideals, moral, social, political, which it sets before its mind as the ends of its endeavor. We have seen how the political ideal of the Americans had slowly but securely based itself partly upon tradition, partly upon experience. It was a curious blend of theoretical equality with practical inequality. The explanation of this contradiction is in the fact that only a part of the people were in the habit of expressing themselves politically, while a great portion were still passive. This will be more plain when we come to the definition of social classes. The dominant, expressive part of the population was aristocratic, and in putting its political beliefs into words it ignored the large part that did not as yet have an active rôle in politics. This must be borne in mind when, later on, we hear constant talk about "the People" and the "rights of the People" on the lips of men who have little sympathy with popular government as we understand it today. Their thought about "the People" had some kinship with the mediæval thought which divided the nation into "estates"—nobles, clergy, commons—and regarded each about as if it were a corporate body. Thus it was possible for them to assert the right of "the People" as a social unit without feeling that this unit was, within itself, a democracy. "The People," for them, was a social factor opposed to the Crown; but the control and direction of "the People" belonged, in their philosophy, to its upper stratum, to the "rich, the wise and the good." The transformation of this conception of aristocratic republicanism, the rising of the masses against it, will inform not only the American Revo-



RACIAL MAP SHOWING PREDOMINANT STRAINS IN 1775

lution, on its social side, but a great deal of subsequent history. It is worth noticing that in some ways America was less republican in the eighteenth century than in the seventeenth. For example, the pure republicanism of Penn had not controlled the development of Pennsylvania. A rich commercial class had gradually taken political power out of the hands of the Quakers.

In much the same limited way the ideal of toleration had become established as an American characteristic. Like the political ideal, it was limited by class, or at least by group, boundaries. All Protestants were certainly to have toleration. As to Catholics—practically, yes; but informally, with misgivings. Complete toleration obliterating religious burdens was to come with the Revolution. But already, for practical purposes, the idea of the state church exerting real authority over all citizens had been expelled from the American mind. Such churches as were still theoretically established—like the Anglican Church in Virginia—no longer ventured to be despotic.

In all phases of life good-humored audacity was dear to the American heart. The man who took risks and laughed at them was typical of the country. The main occupations of Americans, during several generations, had ingrained in them the familiarity with danger. Agriculture under the shadow of the Indian foe had but lately ceased to be the rule on the coast and was still the prevailing condition of the frontier. That fur trade which had been so vital to colonial prosperity was a constant hazard of life and property. The trading of the sea—whaling, fisheries, the long voyages to distant lands—how could this fail of the same effect? The social temper did its part creating and maintaining this good-humored audacity of the American. Aristocratic though society was, it was what Emerson long afterward called "aristocracy with the doors open." Any one of ability, character, force who "made good"—to use our modern slang—might come in. A thrilling flexibility in the social order, the encouragement of all native talent to make the most of itself, put American life on a different footing from European life.

In its moral ideals America was not widely different from other eighteenth-century countries unless perhaps in the matter of sex. The sex ideals of any period are hard for after time to determine,

because rarely does the mass of the people become vocal on this subject. As a rule, extremists do the talking. The eighteenth century, everywhere, was not very sensitive to what we generally call "delicacy" of thought and feeling. It was coarse in speech, and there was considerable laxity of morals among the upper classes—whether as much as at the present day is uncertain. However, in America, there was nothing comparable to the upper-class laxity of the previous century in Stuart England or in contemporaneous Bourbon France. The Puritans, at least, had sought America in a stern reaction against all that, and the reaction was still vigorous. But the Puritans did not monopolize this feeling. Throughout America the finer minds had an ideal of sexual purity that was high. It was not the asceticism of the Orient and the Middle Ages. It was the natural life of man touched with imaginative spirituality.

A very great emphasis was placed upon the family life and the obligations of the married state. Men of widely different types agreed in looking upon the family as the most fundamental institution. Hostile critics, who like to sneer at America, say that this is evidence of the descent of the Americans from those middle classes of Europe among whom propriety and the well-ordered family life have long been insisted upon by way of contrast to the self-indulgence of the nobles. The sneer may be brushed aside. Such mystical dreamers as Jonathan Edwards; such hard-headed men of affairs as Washington; such a brilliant worldling as Franklin, all held similar views on this vital topic.

Highly characteristic was the position of women. Though the complete legal emancipation of women was still far in the future, in no country did women have more independence; it is doubtful whether anywhere else except among the high nobility did they have as much. Three causes contributed particularly to this result. In New England the wives of sea captains managed their affairs alone while their husbands were on long voyages. In the south the great plantation was a little world in itself, where the mistress oversaw the daily life of the slaves and made their welfare her especial responsibility. In the lonely cabins of the frontier the woman of the family was compelled to be as independent and resourceful as the man, serving as nurse and doctor in time of peace, and joining in desperate defense during Indian war.

The social structure of the time revealed an upper stratum composed of wealthy landholders, prosperous merchants, professional men, and clergy. These people in 1763 appeared to form a tolerably coherent class with approximately uniform views upon social and political issues. They were all aristocrats in feeling. But very soon it was to become plain that they differed among themselves. In the next chapter we shall see them break under stress of circumstance into two groups, animated on the one hand by extreme loyalty to the established order, on the other by a proud sense of their own traditional right to govern. We shall label them Tories and Conservative Whigs.

A lower stratum in the social scale embraced in the towns numerous self-respecting small merchants and superior artisans, and in the country a large number of sturdy small farmers. These, generally, were people of excellent origin from whom much of the energy of later America derives. In the towns, as early as 1763, though they had not yet plucked up courage to defy the upper stratum, they were beginning to entertain radical ideas. They were asking each other why all important offices should be filled by aristocrats. Here and there an ambitious young man—generally a resolute young lawyer who lacked family connections to help him along—was forming among these impressionable townspeople a little circle of discontent. Such circles gathered somewhat later around the Adamses, Samuel and John, whose political advent was sneered at by Boston's aristocrats. In the country the small farmer of this stratum, which formed the middle class of the time, held for the most part a friendly relation to the aristocrats, accepted their leadership, reflected their bold, assertive spirit and their content with the existing social system.

The traveller passing through America in 1763 would have been struck by the smallness of the towns, the large amount of empty space, the very simple living of the shopkeeper and the farmer, and by the beautiful homes of the wealthy. The new artistic interests of the time (page 160) produced a crop of mansions that were highly distinguished, in which silks and satins, silver and beautiful imported furniture were to be seen in abundance.

While the rich eastern aristocrat, whether commercial or landed, was building his fine house, greedy eyes watched him from the

roadside in the country or from the street of the town. An unhappy stratum, the bottom of the social scale, was composed of submerged people leading coarse, hard lives. In all likelihood they were offshoots from the submerged classes of Europe. The indentured servants and their progeny have been mentioned (page 145). Though it will not do to say that there was a slum anywhere in America in 1763, it is true there were many of these shiftless and dull people, the sort that are easily mastered and led and are dangerously open to suggestion. In the rural districts they were doubtless not unlike their descendants, the "poor whites" of the south. Often mere farm hands, they were sometimes petty farmers, contrasting sharply with the vigorous farmer already mentioned. With no tradition of political activity, too poor to possess the franchise, they were indifferent to political issues until the Revolution gradually shook them awake. In town, these submerged people were more ripe with discontent. But it was a stupid discontent with no clear idea what it wanted. The famous incident of the burning of the house of Governor Hutchinson (page 184), though it occurred in the midst of a political controversy, cannot be explained as a political uprising. Hutchinson and the leaders of the opposition held similar views about the measure under debate—the Stamp Act. Plainly the mob that destroyed his house merely seized the occasion to give vent to restless and undefined animosity toward the upper classes.

The customs of this new nationality differed, of course, very widely with the differences of class and place. They may be traced to three sources—transplanted tradition, the direct effect of the new environment, and the particular sort of self-expression—social inventiveness, one might say—that had come to life since the emigrants had cut loose from Europe, their Americanism. Upon this subject an entire volume—several volumes—might profitably be written. For present purposes it is enough to note the strength of the new element in the social consciousness and its moulding effect upon the others, upon tradition and circumstance. What has been indicated already with regard to the aristocratic ideal is a good illustration. Transplanted bodily from Europe, that ideal was modified by frontier conditions which stripped it of the element of formality that played so large a part in all European conceptions of aristocratic privilege. The new American spirit took up this modi-

fied conception and added to it that freedom and opportunity which made it acceptable to every pushing frontiersman, no matter what his origin.

The new individualism of America was developed in a similar way. Starting with the epidemic of dissent in the seventeenth century, the idea of individual freedom in religion and politics was enormously strengthened and expanded by the relative isolation of the individual in America, by his necessity to depend upon himself in the sparsely settled, slightly governed, ill-protected colonial communities. The new temper idealized the sort of energy produced under these conditions and laid the foundations of the later American glorification of individualism, the later reluctance to curb individualism even when carried to such an excess as to contradict itself.¹

To get a full and true impression of the vital forces of the age we should have time to observe many types of people characteristic of various classes and places, and note, first, what characteristics despite their surface differences they had in common; and, second, how they differed from the type in Europe that most nearly resembled the corresponding American type. To urge doing this would be a counsel of perfection, applicable only to ripe scholars with unlimited time at their disposal.

In a general survey we must content ourselves with the general statement. What has been said already about the type of the aristocrat gives the clew that might be followed out through all phases of society. A careful study of Washington, say, as a symbol of the American aristocrat of his time, a comparison with typical French and English aristocrats of the same age, would go far toward focussing the elusive but real difference that constituted his Americanism. The same sort of study applied to other typical figures would steadily increase and clarify our sense of the difference between the new nationality and the elder ones—that something so deep-seated, but so hard to body forth in words. The religious types would serve admirably in developing the mental images that form the elements of the conception. The Anglican, the Puritan,

¹ See Chapter XI of Volume II or Chapter XL of one-volume edition, where will be developed the confusion in the American mind a hundred years later, when individualism carried to an extreme became the basis for corporate irresponsibility that was perfectly sincere and yet inconsistent with its own derivation.

the Protestant Dissenter, the Roman Catholic, the Jew, the Quaker, of this great moment when our nation emerges, will all, if studied in careful contrast to their old-world brethren of similar faith, contribute richly to the knowledge we are seeking. Perhaps women, as so often happens, hold the secret most significantly. No better way to grasp the general character of Americanism in its origin than through a contrasting study of women, class for class, type for type, in Europe and America, in the third quarter of the eighteenth century.

When the formative period came to an end, what we may call the first generation of genuine Americans was well on into middle age. Their sons and daughters, who composed the rising generation of that day, form the link between old and new, between colonial and republican America.

The term "generation," as here used, is of course a somewhat artificial approximation of fact—as so many social terms have to be. Nevertheless, in this particular case, it may be used without misgiving. To a singular degree the public men of the period of the last French war formed a group sufficiently close to one another in point of age to have the feeling that they were all of the same "generation." They were the men who at the close of the war, when their work was practically complete, ranged between fifty and sixty-five. By those men the ancient period of America's history was brought to an end, the modern period was begun.

Their sons and daughters were the first generation of a new order of things. These young people of that great moment formed a brilliant group. Could they be reincarnated today, they might have considerable justification should they advance the claim that their generation was still the most distinguished, take it altogether, that America has produced. At least no one would deny that no other generation has definitely outranked theirs. For the number of distinctive characters in proportion to the total population, for the magnitude of their achievements, for the boldness and originality of the more conspicuous individuals, for the general distinction of the part of the population which was the controlling factor of the time, that great generation is, if not pre-eminent, at least, second to none.

A marvellous group of brilliant young people they were in the

fateful year 1763. As old as any that should be included was Colonel Washington, and he was but thirty-one. Patrick Henry was twenty-nine that year. An obscure young lawyer, a certain John Adams, was twenty-eight. In the course of the year young Thomas Jefferson celebrated his twentieth birthday. A new England blacksmith, for whom no one foresaw greatness, Nathanael Greene, was but twenty-one. The two colossal foreigners who were fated to join the company of the Founders of the Republic, James Wilson and Alexander Hamilton, were, respectively, in 1763, twenty-six and only six years old. It is a long and brilliant list of names, all those subsequent leaders of action or moulders of thought who were then under thirty-five, who thirteen years later stood behind the Declaration of Independence. And the company of women is equally brilliant.

Remember, it was still the eighteenth century, still an aristocratic social order, and therefore the achievements of women were still conditioned by social ideas that have passed away. But if one will take the trouble really to project oneself imaginatively back into that elder time, when politics and society were fused together, one will perceive that delightful and capable women were the order of the day in America a hundred and fifty years ago.

In one respect the great generation was peculiarly fortunate. It had for its recorder a portrait painter of great genius who appears to have been entirely in sympathy with it. No one should venture to form an impression of the men and women of Washington's day—especially the women—without pondering long and carefully the transcript of character on the canvases of Gilbert Stuart. Masterly in their penetrative observation, consummate in their draughtsmanship—which is where character in portraiture chiefly reveals itself—these canvases are historical documents of first importance.

One of the chief things to be noticed is the high average of good looks. A very handsome generation. Also, they are well-poised, positive men and women, very sure of themselves. Their faces seldom suggest nervousness, or oversensibility, or doubt, though the capacity for emotion is deep and strong. They wear expressions which were the gift of the wholesome, natural life most of them had led, a life not spoiled by the hectic turmoil of too much city,

not rendered fretful by too much straining after effect, by too exasperating competition.

It is fortunate that many of the men and women of the great generation have recorded themselves intimately on paper in letters and diaries with delightful frankness. By way of introduction to that time nothing could be better than the correspondence which was exchanged by Jefferson and Adams, in their old age, when after long antagonism they became again, as they had been in their youth, admiring friends. They were both tired and disillusioned; they had seen great causes rise and flourish and sometimes fail. They looked back fondly and a little sadly to their first loves; but withal, they were gloriously serene, brave at heart, unconquerably hopeful, with the intellectual detachment of true culture, with interests as keen and curiosity as searching as when they were boys—boys of genius. Furthermore, that correspondence is as modern in its temper as if written this morning. It is evidence that the American nation, in the essentials of its mind, was at full stature when its separate history began.

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Revolution

1763-1783

BASIS OF CHAPTERS IX-XI

The long struggle with the French left the empire in a difficult situation both financially and strategically. A new imperial policy called for an enlarged military establishment, for levying a part of its cost on the colonies, and for a rigorous insistence that the colonials, who were compelled by the mercantile system to borrow heavily in England, should pay their obligations in English money. The commercial interests of Great Britain had great power both in Parliament and in the Board of Trade. A large part, though not all, of the landholding nobility were their political allies. In order to carry out the new policy such statesmen as George Grenville and Charles Townshend boldly insisted on the supreme power of Parliament throughout the empire. The famous jurist, Sir William Blackstone, gave them a constitutional philosophy by formulating the doctrine of the "omnipotence" of Parliament.

The Americans promptly rejected this theory. Various acts of Parliament, supplemented by regulations of the Board of Trade, struck at their fixed belief that they were self-governing states related to each other only through having a common sovereign. Throughout the colonies the protests against the new policy quickly became angry; insurrection was threatened. Open rebellion was prevented by the second rise to power of William Pitt and his prompt repudiation of the new policy. When Pitt fell from power and the policy of the Board of Trade was resumed the Americans, led by Virginia and Massachusetts, prepared for resistance. Rash parliamentary measures, "The Intolerable Acts," produced an explosion.

A Continental Congress, in 1774, was the first step in virtual civil war. A brilliant minority in England approved the course of the Congress but the parliamentary majority was inexorable. A clash with royal troops at Lexington, the next year, led to the formation of a colonial army with George Washington as Commander-in-Chief.

Until February, 1778, the war which ensued was wholly within the empire. In this period occurred some of its most notable events. The stubbornness of the Americans against great odds convinced the French Monarchy that they would be worthy allies. A world war began with the French declaration of war against England. The next five years was a duel in diplomacy no less than on the field of battle; after all the leading nations had been drawn into the conflict, came the Treaty of Paris, 1783, and the acknowledgment of the independence of the American Republic.

Meanwhile the American states had formed a confederation and a profound change in American society had begun. In various ways the legal system of colonial days was altered, in the course of the war, with a view to giving more power to the mass of people. Some of the most significant of

the leaders of the old régime had sided with the Crown, while others of the same social class, though leaders in the Revolution, had concluded that a new social system would have to be set up. Also, there had developed a class of bitter visionaries who wanted to go still further and create a government of extremely radical tendencies. Altogether the Revolution had developed from a political into a social movement, and had created among the Americans themselves new causes of antagonism.

Chronology :

- 1763. George Grenville, prime minister.
Royal proclamation forbids western settlement.
- 1764. James Otis denies parliamentary control of colonies.
- 1765. Stamp Act asserts parliamentary control.
- 1765. Sons of Liberty organized.
Patrick Henry denounces the policy of Grenville.
Stamp Act Congress.
Blackstone declares Parliament omnipotent.
- 1766. Pitt and Lord Rockingham force repeal of the Act.
- 1767. Townshend duties revive the colonial controversy.
- 1768. Samuel Adams, leader of the populace.
- 1769. Virginia Resolves condemn the imperial policy.
- 1773. Boston tea party.
- 1774. The Intolerable Acts express the omnipotence of Parliament.
First Continental Congress.
- 1775. Lexington and Concord.
Second Continental Congress.
- 1775-1776. Continental Army, commanded by Washington, besieges Boston.
- 1776. The Declaration.
- 1776-1777. Campaign of Trenton and Princeton.
- 1777. General belief that "the People" should govern.
Surrender of Burgoyne at Saratoga.
Articles of Confederation drawn up.
- 1777-1778. Valley Forge.
- 1778. France declares war on England.
Battle of Monmouth.
Conquest of the West by George Rogers Clark.
- 1779. Spain declares war upon England.
Armed neutrality of the northern powers.
Congress virtually bankrupt.
Quarrelling of the states over western land.
King's Mountain.
England declares war on Holland.
- 1781. Articles of Confederation in effect.
Great French Loan.
Yorktown.
- 1783. Treaty of Paris.

CHAPTER IX

FATUOUS IMPERIALISM

(1) *A New Policy*

It is one of the ironies of history that a conscientious, well-intentioned statesman set the ball rolling that brought on the American Revolution. When George Grenville became Prime Minister (1763) he saw confronting him a number of things that challenged his best thought. First of all, he saw an England that was waking up. The old, easy-going temper of Walpole's time (page 129) had passed away. All those new forces that were transforming the world (page 159) were at work directly or indirectly upon the temper of Englishmen. Though Grenville's was too literal and prosaic a mind to grasp very much of what was astir in the air, one phase of it at least he saw. England was teeming with new commercial energy. Energy was flowing out of England to India and the West Indies, and money was flowing back. As will appear presently, energetic Englishmen, and still more energetic Scotchmen, had their eyes on the new conquests in America and were eager to duplicate there the fortunate ventures that spelled wealth on a big scale in the Orient and the Indies.

These commercial interests were powerfully represented in Parliament. The old parties, Whig and Tory, had broken into factions, and party labels counted for little. Economic interest, or brazen graft, determined most of the votes in Parliament. The commercial interests could always make terms with the powerful landed interest providing they supported a policy that kept taxation off the land. It was easy to combine with these a group of placemen under the personal influence of the King—a stupid enthusiast for royal prerogative who dreamed of reviving personal monarchy.¹ On this triple alliance in Parliament, Grenville based the foundation of a vigorous policy of financial reform.

¹ It has been the fashion of late years to fix attention upon the internal history of Parliament as accounting somehow for the course of the Crown in the American Revolution. The theory seems to be that the faction of the "King's Friends" were always the make-weight and thus always responsible for whatever was done. In a complex Parliamentary situation where there are several factions and a delicate balance, why is one faction any more the make-weight than another? Is it not sounder to think of the situation in terms of those factions that have constant interest in the policy adopted, namely the merchants and the landholders?

That the empire needed such a reform, he had no doubt. The French war had left it deeply in debt. As to the colonies, Grenville found a host of titular officials living in London, drawing salaries, and never going near the places where they were supposed to labor. Their work was transacted by deputies. He saw in America open indifference to the mercantile theory and widespread disregard of the laws based upon it. He was honestly shocked by the cavalier way in which the various colonies had insisted on managing things in their own fashion during the war. He felt that Pitt's system, by which each colony had been reimbursed for its military expenditures (page 134), was unfair discrimination. Why should the English taxpayer carry all the burden of the imperial military establishment? He reasoned much as did his friend Charles Townshend, who said, "It is well known to those who have attended to the affairs of America that the provinces have been for many years engaged in a skillful design of drawing to themselves the ancient and established prerogatives wisely preserved in the Crown as the only means of continuing the superintendency of the mother-country."

These words had been used just ten years before in connection with a plan of colonial union proposed by Franklin. On the eve of the last French war the Crown had urged upon the American colonies the formation of some sort of union—at least among the northern colonies—for the purpose of general defense. Delegates of seven colonies met at Albany (1754). The plan submitted by Franklin provided for a president-general appointed by the Crown, and a council elected by the colonial assemblies. The council was to levy taxes for military purposes subject to the president's veto. The plan was condemned by men like Townshend because it recognized so frankly the colonial control over taxation. The colonies would have none of it because of its centralized royal executive.

The long history of colonial decentralization, even in the face of utmost peril, was what impressed Grenville most as he looked at the imperial situation the next year, 1764. But there was another item. The colonies issued paper money and it formed an unstable currency. British merchants complained that they had to permit the payment of debts due them in depreciated paper.

Regarded superficially, it would seem that there was no answering the contention of the merchants. But there was another side to the

matter which they persistently ignored. The Navigation Laws placed the Americans in no small degree at the mercy of their British creditors. They could obtain specie—or its equivalent, in credit—only by selling to England; the amount of their obtainable specie was limited by the amount of American products that the British trade would take. The British demand for American products was limited, much less than the American demand for British goods. The Americans wished to trade with other countries and thus acquire a stock of specie which would enable them to pay in good money for those British articles which they wanted to have but for which the receipts from their own products sold in Britain would not pay. They must either go without these excess imports or pay for them in colonial money. The Crown would neither allow them to raise funds by trading in their own way nor permit them to issue money in their own way.

Even before the close of the war a menacing controversy foreshadowed the fateful days that were soon to come. At the same time the British merchants were clamoring for the prohibition of American paper money and the Crown was urging the colonies to raise more troops. A very significant feather in the wind was a resolution passed by the Virginia House of Burgesses. The two questions—freedom of trade and the maintenance of colonial forces—were skillfully tied together. The burgesses flatly refused to furnish the Crown with troops; their justification was their inability to pay the troops in money that the Crown would approve.¹

The correspondence of Washington with his London agents in

¹ *Journal*, House of Burgesses, October 7, 1758: "A Message from the Governor . . . as follows,

"A Memorial of the Merchants of London in behalf of themselves and their correspondents, Merchants of Bristol, Liverpool and Glasgow, trading and interested in the Province of Virginia.

"Protesting against the Act of the Assembly, passing an Act to issue paper notes to the amount of £80,000 to be used as lawful tender in trade and in payment of debts owed the said merchants of London, instead of paying in Sterling the legal tender and standard of trade in England. . . .

"Ordered that said memorial do lie upon the Table for the Perusal of the members of this House."

After much bickering, in which the King asked for more troops, also commanded the Assembly to safeguard the London merchants against colonial paper, the burgesses, January 13, 1764, resolved "that though we consider ourselves under the highest obligations to defend our Frontiers from Indian Incursions, yet our Inability to advance ready Money for the raising and maintaining the Body of Men, required by his Majesty's Generals, obliges us to rather choose that Method of Defense which is to be obtained from a brave and well appointed Militia."

the troubled years that followed the war reflects the severe difficulty which he had in meeting the demands of his agents and balancing his accounts. Owing to the inadequacy of the receipts from his own exports he was sinking deeper and deeper into debt.

Meanwhile there was a world-wide renaissance of British trade. Its effects in America will be indicated in the fifth section of this chapter. As a detail of imperial statesmanship, it gave still more weight to the influence of the merchants in imperial councils. This also was the time in which Anglo-American promoters were seized with a zeal for setting up, in the new lands conquered from the French, commercial dominions that should be virtually proprietary governments.¹

All things considered—as honest, literal, unimaginative Grenville saw the situation—the common sense of it, for him, was tolerably plain: he must give scope to all the new commercial enterprises of the day; but this must be done in the old orthodox mercantile fashion; hence, a strict enforcement of Navigation Laws and strict economy in their administration; furthermore the expenses of the empire must be equitably distributed and the colonies must take their share. If he admitted to himself that he was being careful not to place any part of the new burdens thus recognized on the landed interest of England, he merely set his teeth and went ahead. Without the landed interest how could he get his majority in Parliament?

His policy was formulated in three acts that were aimed to cure existing evils and a fourth designed to increase the revenue. (1) The Sugar Act of 1764 was an attempt to render effective the Molasses Act of 1733 (page 129). The old act charged high duties on sugar imported into the colonies from the West Indies. It was never enforced. The new act lowered the duties but provided for their rigid enforcement. (2) A Currency Act (1764) restricted the issue of paper money throughout the colonies. (3) It was also decided to maintain a part of the royal forces permanently in the colonies and for that purpose a Quartering Act (1765) required the local authorities to provide these troops with provisions, utensils, and housing. (4) Lastly, a Stamp Act (1765) was designed to

¹ Nearly a score of such schemes were launched in the ten years following the war. They included an attempt to revive The Ohio Company, which eventually was merged in The Mississippi Company. One of the few that were not pure business was the Charlottiana scheme (page 194). None of them produced permanent results.

augment the new revenue to be collected under the Sugar Act. Stamps sold by the government were to be affixed to all important documents, legal or commercial.

(2) *Ferment in America*

Had Grenville possessed an imaginative mind or even a comprehensive knowledge of the colonies at first hand, he might have seen other factors in the situation of 1764 to which he was blind. He might have perceived that America was teeming with ambitious, energetic people to whom, in the past twenty years, opportunities to increase their fortunes had come thick and fast. Some of their abundant commercial enterprise was legitimate, some was not. There had been a great deal of illicit trade with the enemy during the war, and profiteering was not unknown; but on the other hand, genuine trade had richly increased, and the temper of American merchants was reckless. Some of the best of them during the war had mixed commerce with privateering. The expansive temper of the time, whether in England or America, in commerce or in theology, was the significant thing. Grenville chose just the wrong moment at which to thwart men who were in love with the chance of fortune.

We have seen that already from one cause or another radical groups were appearing in America (page 152). Broadly speaking, they were either people of the inland districts or of the less prosperous portions of the tidewater country. Of the former sort were resolute farmers—in distinction from the planters—who occupied the “back counties” of Virginia. In the House of Burgesses they had not yet asserted themselves. They were awaiting a leader. But the man who was destined to become their leader had already appeared. Toward the close of the war, in that Hanover County from which the great Presbytery of the West took its name, was tried the lawsuit known as the Parson’s Cause. The Crown had disallowed a Virginia act reducing the salaries of Anglican clergymen and suit had been brought to recover payments that had been withheld because of the law now abolished. A young lawyer, Patrick Henry, took the case against the clergy. His eloquence so moved the jury that they virtually defied the Crown’s decision by awarding damages of but one penny (1762). What really mattered in this

case was Henry's violent attack on the royal prerogative, and his denunciation of the Church that had behind it the tidewater aristocracy. He was speaking for a community predominantly Presbyterian. The democracy of Hanover Presbytery was beginning to flow backward as well as forward. The frontier was beginning to impinge upon the east.

About the same time, in Massachusetts, James Otis propounded a bold idea. He had been retained by Boston merchants for the somewhat questionable purpose of defeating the efficient execution of the Navigation Acts. Special search warrants were being used, "writs of assistance," which, unlike the usual warrant, did not specify the place where smuggled goods were supposed to be hidden. They were blanket permissions to search any place, every place. Had not Otis developed his startling new idea the case might be forgotten as no more than rather brilliant sharp practice. We must remember that every American was already thoroughly imbued with the conception of a reserved power behind legislation to which legislation had to accord. In his daily experience the Privy Council was always in sight interpreting this mysterious background law by which the colonial legislatures were bound (page 129). Obviously, Parliament was not limited in quite the same way. But did it follow that there was no limit to the power of Parliament? Seeking such a limit, Otis fell back upon the Common Law and resurrected seventeenth-century legal decisions that seemed to support the idea. He asserted that a law of Parliament controverting the Common Law was invalid (1760). He lost his case and writs of assistance continued to be issued. The opposite argument was based on the theory soon to be formulated by Blackstone (1765) in his momentous utterance, "If the Parliament will positively enact a thing to be done which is unreasonable, I know of no power that can control it."

The Blackstonian conception of Parliament was a reversal of the political theories of Locke on which all Americans for two generations had been brought up. From Locke, Americans had derived two ideas destined to be revolutionary: (1) That mankind are designed "by Nature all free, equal, and independent"; (2) that governments draw their authority from a "compact" among their subjects, that the aim of this compact is the general good of all, and

that whenever the compact is violated, the authority of government automatically dissolves. In Henry, Otis, and Locke, we perceive three elements that might easily coalesce in an opposition to the Blackstonian attitude: a metaphysic of government subtly formulated by Locke; a legislative plan for making it operative indicated at least by Otis; the marshalling behind it of class interests by the eloquence of Henry.

Had Grenville possessed the imagination of true statecraft he would have sought to find out what the colonists were actually thinking and feeling in 1764. The more astute rulers of France, the moment the war was over, began a penetrating study of American conditions through spies disguised as mere travellers. France intended to resume war at the first opportunity. Her spies were to find out whether the Americans would rebel against England; or, if they would not, how they could be most easily conquered. The reports of these spies are invaluable records of colonial conditions. Half as careful a study by English observers would have shown Grenville that he was confronted by a unique situation upon which precedent and tradition threw little light.

Had such a study given due thought to American social conditions, it would have revealed at least four groups that demanded attention. The two law cases reveal two of these—(1) Certain determined but as yet leaderless people scattered all over the colonies, but chiefly in the back country, who were beginning to feel the promptings of democracy; (2) an affluent group that was permeated by the spirit of individualism and proposed to rule themselves as they pleased. Of the two other classes, one comprised (3) the remainder of the "upper" classes with their dependents, the group that was later to be known as the Tories, instinctive conservatives whose ideas were substantially the same as Grenville's; (4) there was also, though little thought of in 1764, something near to a proletariat, those disenfranchised classes, the debtors, the very poor tenant farmers, who formed the submerged class (page 156). From this fourth class, in the excitement of the next few years, were to shoot up jets of flaming emotion that were not inspired by the issues definitely before the country—as in the celebrated instance already cited, of the destruction by a drunken mob in Boston of the house of Lieutenant-Governor Hutchinson (1765) for no par-

ticular reason except that he was the Crown's representative, and that every one, including the lieutenant-governor himself, disapproved the Stamp Act. The interplay of these four social groups contains the most fundamental part of the Revolutionary movement. Far more important than the relation of any of them, or of all of them, to England, was their relation to each other and to the future. To understand the period 1766-74 one must be frequently passing back and forth from the political-commercial revolt against the Crown to the social progress in the relations of these four groups. It will be convenient to think of them by numbers in this order: (1) The true conservatives predestined to become the Tories; (2) the conservative Whigs represented by the great merchants of New England and by the landed aristocrats of Virginia; (3) the radical Whigs comprising the poorer classes who were eager to rise socially; (4) the disfranchised populace.

(3) *Beginnings of Resistance*

The Stamp Act met with opposition in America while Parliament was considering it. Otis issued a pamphlet, *Rights of the British Colonies Asserted and Proved*, which fully developed the theory that Parliament was subject to fundamental law—the conception that Americans had been gradually evolving, that was to culminate eventually in the Supreme Court of the United States.¹

There was also much vigorous protest on the ground that Grenville proposed to ruin American trade. A turning point came when Patrick Henry introduced into the House of Burgesses fiery resolutions condemning the act. The burgesses represented chiefly two of the four social-political groups. The faction that had controlled the House hitherto was made up of rich Liberals of the eastern countries, strong against any interference by Parliament in Virginia's affairs, but with the aristocratic instinct for careful and gradual policies and with strong sentimental attachment to England and even to the British Crown—provided it let them alone. They had already

¹ Soon afterward, Richard Bland of Virginia promulgated the theory that there was no institutional union between England and the colonies—only a personal union through having the same King—as was the case in Scotland before the union in 1701. The theory was much discussed later but not until these theoretical questions had been wholly overshadowed by emotional and party questions. Recently the strict legality of the whole debate has received searching reconsideration, but without, as yet, any general consensus of reinterpretation.

expressed their disapproval of the Grenville policy "in conciliatory form," and they wanted to stand still till the Crown replied. They were horrified by the furious speech in which young Mr. Henry supported his resolutions. The speech, now so famous, was greeted by cries of "Treason!" He said, "Cæsar had his Brutus, Charles the First his Cromwell, and George the Third . . . may profit by their examples."¹ Henry swept the House off its feet. The resolutions passed that day included the assertion, "That the General Assembly of the Colony have the only and sole exclusive right and power to lay taxes and impositions upon the inhabitants of this Colony."

The real significance of the event was not in a flourish of rhetoric, nor in reasserting the views of liberal aristocrats. Henry had organized the second party of the burgesses, the poor men, chiefly dissenters, who hailed from the western counties. Once more, the influence of Hanover Presbytery was the key to what happened. Here were the same sort of people who had applauded Henry in the Parson's Cause. The Democrats had found their leader. By skilled tactics joined with imperious eloquence, he had given them for the first time the control of the House. It was a victory of party rather than principle. It was a notice to the aristocracy that democracy had entered the lists. If there is any one moment at which the American Revolution began, it was on May 30, 1765, when the party of the plainfolk carried the day in the House of Burgesses.

(4) *The Colonials Against the Ministers*

American resentment produced the Stamp Act Congress, in which delegates from nine colonies, having assembled at New York (October, 1765), with encouragement from the other colonies declared their faith that since Americans "from local circumstances cannot be represented in the House of Commons," therefore no taxes may be "imposed upon them except by their respective legislatures." They would submit to the Sugar Act, but protested it as "burthen-some and grievous."

American merchants organized a boycott of British goods. Popular demonstrations forced stamp agents to resign. Societies were

¹ This is the traditional account questioned of late years because of the report of a supposed French spy who was present. See Van Tyne, *Causes of the War of Independence*, especially page 155; Hughes, R., *Washington*, II, 175; Stephenson, N. W., *Washington*, I, note 34 of ch. XII.

formed, "Sons of Liberty," for the purpose of keeping up the agitation and encouraging the disregard of the law by continuing to do business without using stamped paper.

The powerful influence of the British merchants was now felt in Parliament. A change in the ministry removed Grenville from power. The Marquis of Rockingham, with a liberal ministry, was willing to concede much to the colonies. Rockingham represented a real desire to placate America, but he could not go the length of Pitt, who had refused to join his ministry and insisted that the Stamp Act was, as the Americans claimed, not only unwise but illegal. Rockingham and the bulk of the Whig party held that it was unwise but within the law. The Tories held it to be legal and also wise. In the end the Stamp Act was repealed while a Declaratory Act claimed legality for the principle involved.

America became loyal over night. Pitt had been the central figure of the discussion and was now in America, the hero of the hour. Statues were erected to his honor. At Charleston his statue is still seen, and upon it—an invaluable contemporary evidence of American sentiment—this inscription:

In grateful memory
of his services to his countrymen in general
and to Americans in particular
the Commons House of Assembly
of South Carolina
unanimously voted
this statue
of
the Right Honorable William Pitt, Esquire
who
gloriously exerted himself
in defending the freedom of Americans
the true sons of England
by promoting a repeal
of the Stamp Act
in the year 1766
time
shall not sooner destroy
this mark of their esteem
than
erase from their minds
their just sense
of his patriotic virtues.

The next eight years, 1766-1774, form a period of ebb and flow in which there came to pass a series of events all perfectly explicable as the natural outcome of the conditions of the time. Assuming England and America as they were in 1766, assuming no more intimacy than existed between them, assuming also one or two quite natural accidents, and the story becomes as plain as day.

The first accident that affected the course of events was due to another change of ministry which threw the control of American affairs into the hands of that Charles Townshend who had such strong views about America at the time of the Albany Congress (page 179). As Chancellor of the Exchequer, Townshend aimed to increase the revenue without, of course, offending either the merchants or the landholders in Parliament. A Duty Act (1767) laid colonial duties on tea, paper, glass, and painters' colors. Townshend's aim was to make the Crown officials in the colonies independent of the assemblies; with enough of customs revenue they might be paid by the Crown. He also secured an Act suspending the legislature of New York because it had refused to carry out the provisions of the Quartering Act of 1765.

The ensuing episode was a repetition of the episode of the Stamp Act. In America, universal indignation; a boycott of British goods; popular demonstrations not always without violence—more intimations that the disfranchised fourth class was ready to break loose on any pretext—controversial pamphlets, protests from colonial assemblies. In England, perception by the merchants of the same situation that developed in 1765; change of front by the ministry; concessions. Among the American incidents was the publication of John Dickinson's widely read *Letters From a Farmer*, a very able, wholly moderate protest by a cultivated liberal of the same sort that had opposed Henry in 1765. His argument, while admitting the administrative supremacy of Parliament (page 129), insisted that the taxing power was reserved to the colonial assemblies.

There was open defiance of the revenue officers. A circular letter from the Massachusetts Assembly urged the other assemblies to make common cause against the Townshend Acts (1768). Lord Hillsborough, Secretary of State for the Colonies, commanded the assembly to rescind the circular. The assembly refused and was promptly dissolved. Thereupon two regiments of royal soldiers

were brought from Halifax to Boston (October, 1768). In Parliament it was proposed to take American agitators to England for trial. This inflamed America worse than ever; resistance to the customs officers increased in violence.

At length came the reaction in England, and Lord North, who had succeeded Townshend as Chancellor, brought about the abolition of all American duties except a trifling one to be levied on tea (1770). As in the instance of the Declaratory Act this duty was retained "on principle."¹ Thus two episodes had run almost exactly the same course. Both the Grenville policy and the Townshend policy began with incidental need of revenue; both built upon the support of the mercantile and landed blocks in Parliament, were encouraged by the King, met such a response in America as led the mercantile block to rebel against the ministry, and ended in concessions with a string tied to them. For a third time, the same performance very nearly was to be gone through. But this time, as might be expected, there was to be tenser bitterness on each side—too tense to end in a compromise.

The incident that opened the third episode concerned once more the commercial interest in Parliament. The East India Company, which controlled the British tea trade, had overstocked the market. It was also in a bad way financially. To help it out Parliament was induced to allow the company to ship tea to America without paying the usual duty of twelve pence per pound charged in England. It would have to pay only the small colonial duty of three pence (page 188). On these terms it could undersell all competitors. The company had hoped to get rid of the colonial duty, but this was retained "on principle," as an assertion of Parliament's right to tax the colonies.

Before the tea ships could come to dock in America the sentiment of the whole country had been organized for their reception. This was due to things that had been quietly brought about in the three years since the collapse of the Townshend policy. That third social group, the radical people of small fortune, were well represented in

¹ The day North proposed in Parliament the abolition of the duties, a chance riot between soldiers and populace took place in Boston. The soldiers fired without orders and killed several citizens. The affair was promptly labelled the "Boston Massacre." Under popular pressure the governor withdrew the soldiers to quarters outside the town.

the towns of New England (page 79). These New Englanders formed one wing, so to speak, of that general social stratum, the other wing of which was the back-country people who had found a leader in Patrick Henry. The northern radicals had also found a leader. Samuel Adams was equally resolute to force the conservatives, or as we may begin to call them, the Tories, out of the field of American politics, and to swing the balance of power among classes away from the liberal aristocrats over to the radicals, from the rich portion of the Whig faction to the relatively poor portion. Throughout the episode of the Grenville policy he had been ever on the side of extreme measures, ever zealous to get an advantage for the poor. For example, the wealthy Whigs—the second of the four social groups—could afford to have courts closed and business at a pause while they argued with Parliament over the repeal of the Stamp Act; the poor Whigs—the third group—comprising young lawyers and small tradesmen, would be ruined if the courts were closed and business suspended. Adams had fought hard and successfully to keep business going while the controversy went on. It was Adams who drew up the *Circular Letter* of 1768. He was a born politician with an instinct for making use of the political club. He was a chief organizer of the Sons of Liberty (page 187). When the Townshend policy collapsed, Adams had no intention to let the newly organized radical element go to pieces and drop out of politics. By means of the little tea duty he kept alive the agitation against the government. His greatest stroke was in organizing Committees of Correspondence (1772) in the Massachusetts towns which exchanged letters, reported upon the latest news, and distributed radical ideas. Meanwhile, another radical group was forming in Virginia. Though the aristocrats were there pretty surely in power—Henry's victory in 1765 was a case of catching them napping—they were themselves of such high spirit, so truculent for their rights, that they lent an open ear to the proposal of the radicals to adopt the Committee of Correspondence on a larger scale. Patrick Henry and Thomas Jefferson, who made the suggestion, soon had the satisfaction of seeing an interstate system of Committees of Correspondence covering all the colonies (1773). Thus was created a general clearing house of thought and sentiment.

The experiment of the tea was a dismal failure. The country was

on guard not to pay the three pence of the tea duty. Popular pressure brought about the resignation of the agents of the East India Company at New York and Philadelphia. For lack of any one to receive them the tea ships sailed away. At Charleston the tea was seized and eventually appropriated by the revolted colony. At Baltimore a tea ship, the *Peggy Stuart*, was burned (1774). At Boston occurred the famous "tea party." Sam Adams was at the back of it. A band of radicals disguised as Indians boarded three ships on the night of December 16, 1773, and threw their cargoes into the harbor.

A new crisis was thus precipitated. Adams and the radicals were forcing the hand of the other wing of the Whigs—of which John Dickinson was an illustration, also Franklin and George Washington—and compelling them to accept, if not their leadership, at least their intimate co-operation. The more temperate Whigs had no choice but to unite with the radicals in opposition to the five "intolerable Acts," which Parliament now passed (1774).

The Boston Port Act closed the port of Boston until compensation should be made to the East India Company.

The Massachusetts Government Act swept aside the colonial charter, changed the council from an elective to an appointive body; brought the judiciary closely under the control of the governor; required juries to be named by sheriffs instead of being elected; limited freedom of speech in town meetings; and also changed the times and conditions of the meeting of the assembly.

The act for the Imperial Administration of Justice permitted royal officials indicted in colonial courts to have their cases removed to English courts.

The Quartering or Billeting Act renewed the Quartering Act of 1765, which had lapsed.

A fifth Act, the Quebec Act, was so different from the others both in purpose and in origin that a retrospect is necessary in order to understand it.

(5) *The Western Problem*

Eleven years had now passed since the close of the war. During all this time, while the problems of the coast were in every eye, other problems equally insistent had developed in that vast back

country which used to be No-man's-land. Throughout the war population was eagerly pushing inland through the Carolinas and Georgia. Despite the hostile Indians there was a widespread eagerness among the frontier settlers to cross the horizon. The headwaters of the Potomac and the Ohio—interlaced as they are—formed a network of natural passages westward from Virginia and Pennsylvania. One fact at least had been forced upon the home government: this restless border population and the Indians and the adventurous traders would form a difficult triangular problem in the new day after France had disappeared from America.

Glimmerings of this idea had crossed the minds of the Board of Trade as far back as the early years of the war. It was a sad fact that traders from one colony had often poisoned the minds of the Indians not only against individual rivals but against the colony from which those rivals came. Furthermore, in the course of the war, the atrocities of the western border were unspeakable. Doubtless it was with an honest intention to bring order out of chaos, to allay jealousy, and establish safety, that the Board of Trade attempted to form a systematic Indian policy. The first step (1756) was the division of the border into two districts, northern and southern, having each a superintendent to deal with the whole subject of Indian affairs and to co-operate with a military commander-in-chief. As in so many other respects, the line between north and south was the lower boundary of Pennsylvania.

An event that may have been the cause of the later policy of the Crown in the west was the recession by Pennsylvania of land which had been purchased from the Shawnees west of the Allegheny Mountains (1758). When peace came the policy thus foreshadowed was formally adopted. A Royal Proclamation drew a line along the watersheds of the coastal rivers from the Gulf of Saint Lawrence to Florida; west of this "Proclamation Line" settlement was forbidden.

Whatever the purpose of the Crown, its anxiety seemed justified by the fierce Indian troubles of the first two years of peace. Incited by Frenchmen, Pontiac, the most remarkable Indian of the northwest, organized a vast conspiracy. Suddenly Indian war-bands attacked the British posts from Fort Pitt to Mackinac. There was heavy fighting before Pontiac submitted. Though the example of

Pontiac was not followed by the great tribes of the south, they held a menacing attitude. The Cherokees particularly had fallen away during the war from their friendship for the English. The French at Mobile had sent agents among them for that purpose. Late in the war, Fort Loudon, which had been constructed on the headwaters of the Tennessee and garrisoned by royal troops, was starved into surrender (1760). Thereupon, regulars dispatched to the frontier by Amherst, together with militia from South Carolina, had ruthlessly pillaged the Cherokee country and forced the Indians into the semblance at least of submission (1761).

After some hesitation as to what step to take next, it was decided to negotiate definite boundaries with the Indians themselves. In the southern district a series of negotiations culminated in a treaty made at a point in South Carolina having the curious name of Hard Labor (1768). The Indian boundary was fixed at the watershed to the northern edge of North Carolina and thence down the Kanawha to the Ohio.

The same year the northern superintendent at Fort Stanwix made a treaty not consistent with the southerly one. The Iroquois ceded all their claims east and south of a line through western New York and the Ohio. The region between the Tennessee and the Ohio was claimed by the Iroquois, though covered by the treaty of Hard Labor. This northern treaty was due in part to the influence of Virginia with the northern superintendent. Virginia aimed to secure from the Crown recognition of her claims to all this region under ancient grants, and particularly wished to expand into the region immediately south of the Ohio.

The Proclamation of 1763 had received scant obedience from the Americans. The deputy governor of Virginia reported to the Board of Trade, "In disobedience of all proclamations and without the least shadow of right to claim or defend their property, people are going out daily to settle beyond the Allegheny Mountains."

The clearest heads in England approved what the Americans were doing, looked upon the exclusion policy as a temporary expedient to quiet the frontier, and wished to see thriving new states planted in the wilderness. Among these genuine statesmen was Lord Shelburne, who directed American affairs for a short time under Pitt. He took an interest in the plan advocated by Franklin for the estab-

lishment of a huge northwestern state, "Charlotiana," occupying all English America beyond the Wabash and the Maumee and south of the Great Lakes. Until the very eve of the Revolution, Franklin and other Americans with influence at London sought also to establish "Vandalia," lying between the Ohio and the Virginia mountains.

A bold North Carolinian, Richard Henderson, set out to form a proprietary state occupying central Kentucky and Tennessee, and though he had no grant from the Crown went so far as to make a treaty with the Indians at Sycamore Shoals (1775); to employ Daniel Boone to open the famous wilderness trail through Cumberland Gap; and to induce settlers to go out and found "Transylvania." This last attempt at a proprietary colony came too late, and all Henderson accomplished was his eventual ownership after 1776 of large tracts of private land.

A new No-man's-land had appeared in the huge wedge thrust westward between the Iroquois country in the north and the Cherokee country in the south—a region of mighty woods, of rugged mountain ranges, of deep and happy valleys where the sun basks dreamily under beautiful skies. In this region the experience of western New England before 1650 was repeated. Little companies of recklessly individualistic frontiersmen wandered westward from valley to valley till they found one to their liking and there built a stockade or "station," around which gradually their farms were literally hewn out of the forest. Thus arose the little walled towns of the American forest, encompassed by dark circles of woodland, beyond which, hidden in the shadows, there were generally Indian enemies. No government had these tiny republics except what they chose to set up for themselves. Such settlements were Boonesboro (1775), Harrodsburg (1774), Nashboro (1779), and, most noted of all, Wautauga (1769), home of perhaps the most brilliant of frontiersmen, John Sevier.

Meanwhile, England had established two new provinces in the south—East and West Florida—and one in the north, Quebec. It must be constantly borne in mind that this was an era of trade expansion in England. No sooner was Florida English than capital began to seek there a new field of investment. Both Mobile and Pensacola, with amazing quickness, became centres of a vigorous

The northern province witnessed a still more astonishing renaissance of the fur trade. Scotland, always so prolific of shrewd and venturesome men, was especially fertile at this time. Immediately after the peace of 1763, Scotchmen swarmed into Canada and spent their indomitable energies exploiting the northwest. The famous traders whose speculations led at last to the formation of the Northwestern Company, which almost eclipsed the much older Hudson's Bay Company, form one of the picturesque chapters in the history of adventurous commerce.

Whether the revival of the fur trade under British control had direct bearing upon the measure that was the culminating mistake of the Crown's policy has not been wholly determined. In 1774, along with the punitive Acts, Parliament passed the Quebec Act. It provided for government of the royal province of Quebec upon French monarchical, not upon English, traditions; and it secured to Roman Catholics, who, with the exception of the Scotch traders, were almost all the population, the free exercise of their religion. Had it stopped there it would have seemed a common-sense measure. But it added an extraordinary provision. All the floating talk about a change of land policy, the opening of the west, and the establishment of new western provinces—Charlotiana, and the rest—received a startling commentary. The entire west above the Ohio was added to Quebec. Considering the governmental provisions of the act, here was an end to the liberal ideas of men like Shelburne; here, the termination of all the plans of constructive Americans like Franklin; and the death warrant to all the hopes of thousands of adventurous dreamers who had intended to plant innumerable self-governing Wataugas and Boonesboroughs, where now, by authority of such statesmen as Lord Hillsborough and the Board of trade, only absolute government on the French model was to prevail; and here also, considering the expansive ambitions of the colonial back country, was an immense, a deadly stimulus to the radical party of which Henry and Adams were the leaders.

(6) The Turning Point

The summer of 1774 was an agitated period of crises throughout America. The four social groups—that is, Tories, Conservative

Whigs, Radical Whigs, and Populace—all bestirred themselves. The latter probably were still rather outside the movement. But the radicals knew their value in demonstrations and encouraged them to shout for the Whig cause. Something would come of it later on that would be to their interests—they might be sure of that! The most important question of the hour was whether Radical Whigs or Conservative Whigs were to give the tone to whatever resistance was to come next. That resistance of some sort was to be made on more than a local scale was determined in May. The House of Burgesses had previously appointed June 1 as a day of fasting and prayer, because on that day the Boston Port Act was to go into effect. For this, the governor of Virginia, Lord Dunmore, dissolved the House. The members reassembled at the Raleigh Tavern (May 25), Williamsburg, issued a call to all the colonies to meet in congress in the autumn, and summoned a convention to chose Virginia delegates.

This action was taken under the lead of the Virginia aristocracy. With their right of self-government plainly threatened, they were so prompt in retaliation that for the moment the Virginia radicals cordially accepted their lead. In Massachusetts, also, both wings of the Whig party coalesced in a hot contest with the true conservatives, the Tories. A new governor, General Gage, suspended the assembly, but not until Sam Adams had won a Parliamentary victory, had overridden the Conservatives, and brought about the election of a radical deputation to the proposed Continental Congress.

Some of the governors tried to head off the movement by dissolving their assemblies. Except in Massachusetts, Rhode Island, and Pennsylvania, this was done before elections could be held. Consequently, nine colonies chose delegates by means of special conventions. Naturally, under the excitement of the hour, in the face of governmental interference, the prevalent tone was in accord with that which had united for the moment the aristocratic individualists, such as Washington, and the class-conscious radicals, such as Henry and Adams. Georgia was the only colony which did not send delegates. The congress met at Philadelphia, September 5, 1774.

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CHAPTER X

THE STRUGGLE WITH THE CROWN

(I) *Revolutionary Organization*

THE nine years between September, 1774, and September, 1783, form the definite period of revolution. It may be comprehended most clearly by reviewing it throughout in two distinct ways: First, externally, so to speak, as the period of a great war that began locally, widened to include an empire, and at last to include the world; second, internally, as a conflict of parties and interests within a country which in the course of it suffered a tolerably drastic transformation. The story will be told from the former point of view in this chapter; from the latter in the next.

The First Continental Congress was in session about six weeks. Out of a cloud of talk and many proposals for the reformation of the empire¹ emerged three achievements: A Declaration of Rights;

¹ The most notable was that of Thomas Galloway, one of the few out-and-out Conservatives in the convention. Galloway's plan would have established a complicated colonial union with a general legislature which, in some respects, was to be independent of, in others dependent on, the imperial legislature. The delegates of four states were willing to accept this plan, though the remainder saw that it had no chance of acceptance by the Crown. Galloway later became a loyalist and joined the British army. In ability and character he was among the leading Americans of his generation.

a Petition to the King; and "the Association," an agreement to obstruct for the present, in all manner of ways, the importation of British goods.

The Declaration of Rights was based on "the immutable laws of nature," the principles of the English constitution, and the several charters or compacts of the colonies. The "laws of nature," politically speaking, meant to Americans of that day the philosophy of John Locke. The Declaration summed up all the claims of the colonists to date. It denied the legislative supremacy of Parliament but accepted the King's right of veto and the doctrine that Parliament should regulate commerce both among the parts of the empire and with foreign countries. The petition to the King stating the American grievance was supplemented by an address to the British people setting forth the colonial case. No address was sent to Parliament.

The Association was to be reinforced by a series of local committees designed to see that the Association was put into effect and to intimidate enemies of the cause. Through these committees another Congress was to be selected to meet the following May.

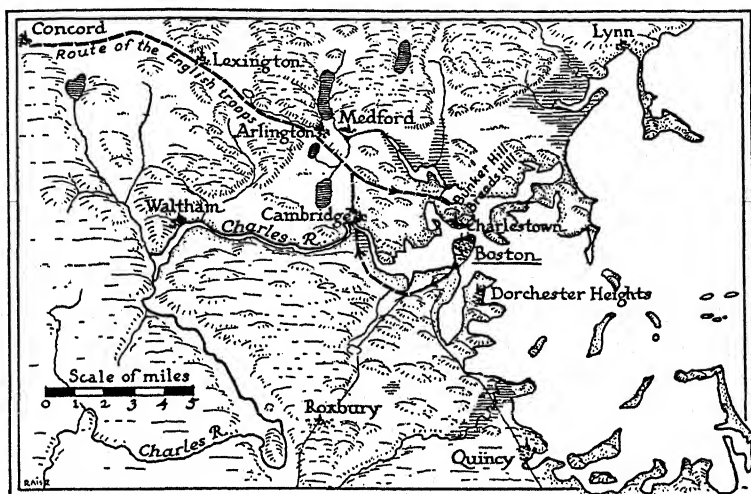
The winter of 1774-75 saw the formation of definite political parties, the King's party, or "Tories," the American party, or "Whigs." The Tories included the first of the four social groups of 1764 (page 184). For the moment the division between the two wings of the Whig group continued to be non-apparent. The fourth group, the true populace, so far as it took sides at all, threw up its caps for the Whigs. Among the Tories were the official class, a large proportion of the merchants, especially the wealthy ones, not a few of the professional men, and most of the Anglican clergy. The strength of the two parties has never been determined. It is probable that the Tories and the large body of the indifferent—such as the small farmers of the middle colonies, whose interests lay outside the whole discussion—formed together a considerable majority.

(2) Civil War

In England the Whigs of the Chatham faction heartily backed the colonies. The London merchants became alarmed and petitioned Parliament to retreat. It is at this moment that the stupid King

becomes a serious factor. He stubbornly refused to make concessions. He would not receive the colonial petition. His political managers, led by Lord North, the Prime Minister, had a solid majority in Parliament. When Chatham moved in the Lords to require a withdrawal of the troops from Boston, he could command only eighteen votes.

Quietly in all the colonies, the Whig committees obstructed the functions of government and gathered military stores. A flagrant



WHERE THE REVOLUTIONARY WAR BEGAN

instance occurred at Concord, in Massachusetts. General Gage, though very reluctant to strike the first blow, reported that, "When magazines were forming for the declared purpose of levying war against the King it was my duty to prevent the calamities of civil war by destroying such magazines." He attempted to strike without warning in the early morning of April 19, 1775; but Boston watchers had signalled from the tower of the North Church that soldiers had left the city. Paul Revere and William Dawes galloped into American history by spreading the alarm through the countryside. When the Redcoats entered Lexington village on their way to Concord, the local militia, commanded by John Parker, were in line on the green. Major Pitcairn, commanding the soldiers, rode forward and called upon the Americans to disperse. The Amer-

icans hesitated; some of them began to fall back. Suddenly a shot was fired. To this day no one knows who fired it. But it did the business. Instantly there was firing from both sides. The British charged and drove the Americans from the green. Eight had been killed. The troops marched on to Concord. The stores were destroyed. There was a sharp fight at Concord Bridge, where the British withstood briefly a crowd of militia, and then the retreat to Boston began. Swarming militia from the neighboring towns—the “Minute Men” who had previously pledged themselves to take arms at a minute’s notice—lined the road; from behind trees and fences, fighting Indian fashion, they converted the retreat into a rout.

Instead of preventing, Gage had precipitated, civil war. The strongest power in Massachusetts was a non-legal “Provincial Congress” which had been formed by the Whig committees, and was exercising, in defiance of the governor, the functions of a legislature. It called upon the New England militia to assemble and lay siege to Boston. The response was immediate and an insurrectionary camp was formed within a few miles of the city.

The Second Continental Congress, elected in the same irregular manner as its predecessor—even more frankly the Congress of a party, the Whigs—assembled May 10. It faced immediately the most crucial question of the whole revolutionary period: Should it accept as its own the insurrectionary army that was threatening Boston? No bolder step was ever taken in America than the decision to make the army of New England the army of Congress. Washington was appointed commander-in-chief. Appeals were made to the Whig organizations everywhere to raise troops and provide arms. Washington started at once for the front.

While Washington was on his way north the Americans seized a strategic position overlooking Boston. Gage drove them off in the bloody battle of Bunker Hill (June 17), but he made no attempt to extend his lines farther. The headquarters of the American army were at Cambridge. There, July 3, 1775, Washington took command. What flag floated over his army, that day, is a question. But presently the Congress adopted a flag; and in the first week of the next year, it was raised officially at Cambridge. This new flag was the famous “red ensign” of England, with a difference.

The red field had been crossed by six white stripes which, with the remaining portions of the field, formed in all thirteen stripes to represent the thirteen colonies. The canton still retained the double crosses of Saint George and Saint Andrew. No one regarded it as the flag of a new nation, only of a cause—the constitutional freedom of the English in America.

The chief problems which now confronted Washington continued to be his chief problems to the end of the war. He had to create his army, to continue recreating it. Perhaps no army in history was so definitely the creation of one man as was the American Continental army. Good individual fighters trained in the forest were numerous; but they had no conception of unity, no idea of precision of movement, no team-play; and there were hardly any officers.

To train an army on short notice, and then to infuse into it that sense of the service which converts a crowd into a unit—to do this almost altogether through individual genius without aid from the suggestive power of a highly organized civil life—taxed a great character to the uttermost. It is no small part of his claim to a place among the very greatest of Americans—possibly as the greatest.

It required the autumn of 1775 and the winter of 1775-76 to transform the miscellaneous militia before Boston into even the semblance of an army. During that time reinforcements from other colonies gave the army somewhat of a continental character. By spring, 1776, Washington felt he could attack. A bold stroke was the seizure of Dorchester Heights (March 4, 1776). Sir William Howe, who had succeeded Gage in command at Boston, promptly attempted to negotiate. There appears to have been a tacit agreement that he should leave Boston by sea, taking with him any Tories who cared to go. The beginning of a proscription of American loyalists was the departure of about a thousand, who sailed away with the retreating garrison when Howe put out to sea and steered for Halifax.

The local war in its first year developed two other theatres. After Ethan Allen with the Vermont militia captured Ticonderoga (May, 1775) Congress was persuaded to authorize invasions of Canada under Richard Montgomery and Benedict Arnold; these invasions

failed nobly but completely. More significant was the first stroke of the Tories. While Howe, though inactive, kept Washington busy before Boston, the Crown sent emissaries into North Carolina. A force of Tories, chiefly Scotch Highlanders, came together, expecting to co-operate with a royal fleet. At Moore's Bridge they were attacked and scattered by a force of Whigs (February 27, 1776). The fleet, when it arrived off the coast, found no Tory army with which to co-operate; sailed on to Charleston; made a futile attempt to capture the city (June 28, 1776), and was driven out to sea by the spirited defense of Sullivan's Island by Colonel Moultrie.

(3) *Movement for Independence*

The Second Congress had now been in existence over a year. It had issued a "Declaration of the Causes and Necessities of Taking Up Arms," which assured the English Whigs it had no intention to "dissolve that union which has so long and so happily subsisted between us," but was merely fighting for the rights of Englishmen.

Congress swung away from this position very slowly. Again a petition was sent to the King, which the King refused to receive. Shortly after Bunker Hill a royal proclamation branded the Americans as Rebels. Parliament ordered all American ports closed. The King incensed both the British Whigs and the Americans by hiring mercenary troops from the rulers of petty German states, especially Hesse-Darmstadt.

It was from these measures in the latter part of 1775, Washington said afterwards, that the turn of the tide toward independence may be traced. But six months after Bunker Hill there was very little open talk of it. A fiery pamphlet, *Common Sense*, by Thomas Paine, opened 1776 with a bold appeal to make an end of the old regime. It marked a new stage in the debate. All this while the French Government had been secretly helping the Americans. Despite its professions of loyalty, Congress did not scruple to accept munitions of war smuggled into the colonies from France. In the spring of 1776 the American ports were formally declared open to all the world except Great Britain. This was virtually a Declaration of Independence. The last royal governors had abandoned their duties. By the 1st of May in every colony the Whig committees and the Whig conventions either had set up, or were preparing to

set up, formal state governments in the place of the old colonial governments. One of these new governments, that of North Carolina, had taken the decisive step, authorizing its delegates at Philadelphia to advocate independence. On May 15, 1776, a convention called by the Whigs in Virginia declared that Virginia was independent of the Crown. On June 7 Richard Henry Lee, in the name of Virginia, introduced resolutions of independence into Congress. At the last moment several sincere men, including John Dickenson, almost lost heart contemplating the disruption of that great and illustrious empire which had borne such a stately part in the pageant of earthly power. But by now the tide was setting irresistibly one way. A committee was appointed to draft a Declaration of Independence—Jefferson, Franklin, John Adams, Roger Sherman, R. R. Livingston. Jefferson wrote it. The report of the committee was formally adopted July 4. It asserted that these United Colonies are, and of right ought to be, free and independent states.

(4) Congress and the War

Thus a new power was established on paper. Was it to become a fact? That depended chiefly upon Washington and his army. But almost as important, and distinctly more doubtful, was the problem of what sort of government was to stand behind the army and provide it with the sinews of war.

There was no definite understanding as yet what this government was to be. The revolutionary state governments promptly accepted the theory that Congress represented them; the colonial delegations were adopted, so to speak, by their states; the new states may be said to have stepped into the shoes of the revolutionary organizations by which Congress had been created. But they did not invest it with any new powers. As we shall see, the war was almost over before any definite understanding upon the powers of Congress was reached. Meanwhile, by tacit consent, Congress directed the war and carried on diplomatic relations with foreign nations. It was never an efficient body. For the army it created a Board of War which frequently neglected its duties and at other times proved infinitely meddling. Again, as always, only the personality of Washington, his ability to combine the loftiest purposes with the most patient industry and shrewd opportunism, saved the situation. Congress

steadily lost influence. It became a fallow field for intrigue. More than once enemies of Washington secured the appointment of incompetent or unfaithful men, who worked against him to the injury of the cause. Such were Gates and Conway—of whom, presently.

The army consisted of a small force of "Continental"—Regulars, we should say—and a fluctuating mass of state troops and temporary levies. Only the Continentals were under direct control of Congress through the commander-in-chief. These Regulars were never more than a few thousand. During the great campaign of 1781 they were but 4000. The total number of men in service in all the states differed astonishingly from year to year. It is calculated that in 1776 there was a military enrollment of all sorts that footed up to 90,000. In other years the enrollment was not more than half this. Throughout the war the states carried on various small enterprises of their own without even consulting Congress. Such was the daring exploit of George Rogers Clark in the northwest. It was purely a Virginia venture.

By way of pay, the soldiers, as a rule, received paper money. Congress had no power to tax and the states were afraid of making the cause unpopular by heavy taxation. Loans and paper money were the order of the day. The paper, especially Congressional or "Continental" paper, sank so rapidly in value that "not worth a Continental" is still a byword.

The unwillingness of the populace to accept Continental money in exchange for supplies was a chief embarrassment to the army. The sufferings at Valley Forge were due in no small part to the refusal of farmers of the vicinity to sell their produce to the American forces. The British forces established at Philadelphia flooded the country with gold coin. In competition the American soldiers offered worthless paper. One of Washington's hardest trials was his struggle against necessity in his effort to refrain from taking supplies by force. General Greene, whom he wanted to make commissary general, could scarcely bring himself to accept the disagreeable post. When at last he did, and Washington backed him up with relentless force, supplies were discovered and seized, and the army entered a new chapter.

Such money as Congress succeeded in getting came almost altogether from abroad. As soon as independence was declared, loans

began to be placed in France, Spain, and Holland. All these countries had crows to pick with England. To subsidize her revolted colonies was sound strategy. France, as has been indicated, was doing this before the Declaration. Vergennes, the astute minister of Louis XVI, was in secret communication with the Americans in the winter of 1775-76 when the tide was turning toward independence. The King was not quick to see the value of Vergennes's policy. To help it along, Beaumarchais was called in. That extraordinary mountebank of a politician used his literary talents inventing fictitious state papers to persuade Louis that the Americans would play into the hands of France. Secret shipments of arms, secret loans, continued; and after the Declaration, Vergennes and Beaumarchais redoubled their efforts to bring the King to act.

The intrigue was widening into an attempt at an European alliance against England. Silas Deane, who was in Europe as American representative, was joined by Franklin and Arthur Lee. Both France and Spain, at the end of the summer of 1776, were almost at the point of declaring war upon England. And then, fortune turned against the Americans. For a year and a half, though the secret aid continued, all the wit of Beaumarchais could not patch up the longed-for alliance. Said Vergennes, "The time for giving the Americans aid must wait on their success."

(5) *Washington*

The check to negotiation was the news of the battle of Long Island. In midsummer, 1776, Howe, with Lord Cornwallis as his chief lieutenant, came back from Halifax, landed on Long Island, and crushed the force sent by Washington to oppose him (August 27). Then followed three months of cumulative disasters. Washington was not yet a master of strategy. He permitted his army to be divided; at length he found himself on the west of the Hudson, cut off from the American forces on the east, and threatened with being caught in a trap. Swift retreat was his only choice. Hence, his famous march across New Jersey with Cornwallis at his heels. It was a race for the Delaware. Washington barely succeeded in putting the great river between him and Cornwallis (December 8).

In a bitter winter, discouraged, ill-supplied, unpaid, the army threatened to melt away. However, it had begun to appreciate how

great was the man who led it. A few keen eyes had already taken the measure of him. Paine, during the agony of the retreat, while serving in the army, was writing, "There is a natural firmness in some minds that cannot be unlocked by trifles. I reckon it among public blessings that God hath . . . given [General Washington] a mind that can flourish upon care."

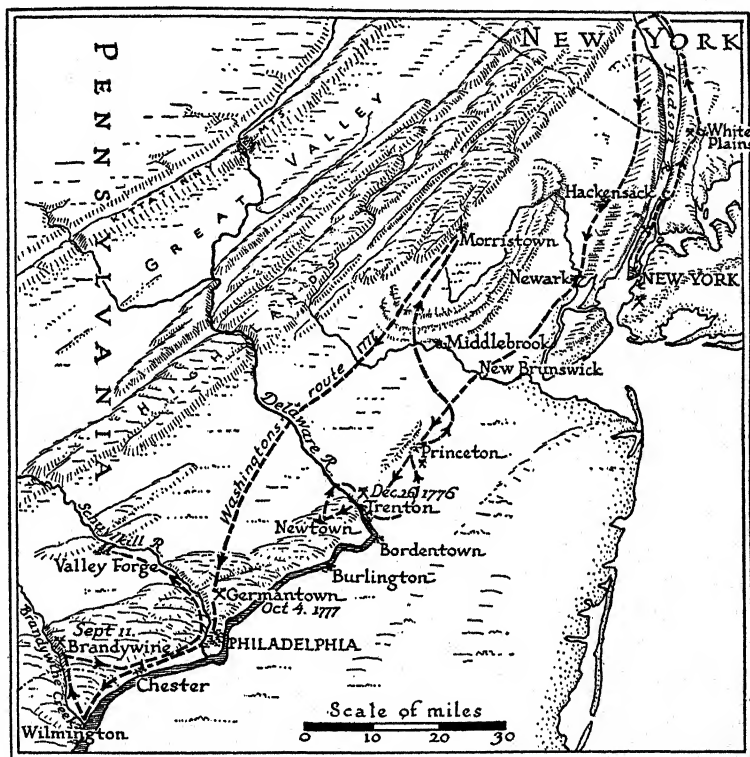
The rank and file were now to discover his magnificent audacity. On Christmas night the westernmost section of the British army was a detachment of Hessians posted at Trenton. They held high revel, comfortably housed. A furious storm swept the town and the river. In the midst of the storm, Washington with but 2500 men recrossed the Delaware, fell like a thunderbolt on the Hessians, and killed or captured practically the entire force.

Seldom has the psychological element in war proved itself so strikingly. The hopeless Americans became overnight the hopeful Americans. The army which had threatened to disappear faced about metaphorically and gave their leader their enthusiastic trust. To be sure, they demanded pretty hard terms financially—so hard that Washington had to pledge his personal fortune in support of his promises. The same was done by Robert Morris, who had charge of Congressional finance, and by other Whig leaders. Morris raised money in Philadelphia by sheer begging.

The Americans were not yet out of the woods. Their forces were badly scattered. Washington, who was developing fast as a strategist, now planned to break through the British line, which extended clear across New Jersey, form a rendezvous to the north of it, and concentrate the American forces. He accomplished his purpose by another surprise attack, and in the battle of Princeton, in the gray of the morning of January 3, cut his way through to the open north. A swift march to Morristown, and he had a good base both for concentrating his forces and for watching Howe, who straightway abandoned New Jersey and concentrated upon New York City.

At this moment Congress, having fled from Philadelphia, was in session at Baltimore. Overawed by the gravity of the occasion, they had decided to copy the Roman institution of the dictator—the temporary despot who held office for six months and no more. An act of Congress (December 27, 1776) made Washington dictator. The use which he made of this great power justified the

confidence placed in him. He made no attempt to exalt himself. He treated Congress with studied respect. Only when abuses in the army—graft, insubordination, inefficiency—became flagrant did he take the high hand. Perhaps his most peremptory action was the most beneficial one. Smallpox had assumed the proportions of a



MILITARY OPERATIONS IN PENNSYLVANIA AND NEW JERSEY

nation-wide plague. Inoculation was a new treatment, little understood and much dreaded. The State of New York had made the use of inoculation a criminal offense. As mere general, Washington had acquiesced; now, as dictator, he determined to settle the matter himself. He carried through a vigorous program of inoculation by which the army was cleansed of the plague.

The "great campaign," as it has been justly called, gave Washington a European reputation. The cautious diplomats who were

watching to see whether it was safe to back the Americans, as the entering wedge of a world war, were encouraged but not yet persuaded. Would the country prove worthy of its general? The first nine months of the year 1777 were in some respects the most critical segment of the Revolutionary period. It was in these months that the local war widened into a world war. By the end of October, 1777, the tide of international politics had turned finally in favor of an alliance for the dismemberment of the British Empire.

The American events which brought this about comprised first a long inaction—a strange lull of the storm, accounted for only by the inefficiency of the British high command—and then a short period of intensive fighting on three fronts. The inaction extended from January to July, while Washington slowly developed the capabilities of his army at Morristown, and Howe lay low at New York awaiting the reply to his appeal for 15,000 reinforcements. Meanwhile, another centre of organization for the American forces was in northern New York. A constant problem for the Americans was the British army in Canada. There were two gates open to it into the colonies—the old gates which the French had used, the Mohawk valley and Lake Champlain. Would the British suddenly appear at either or both of these gates? Then too, in case they did, what would Howe do? In a word, what was the British high command aiming at?

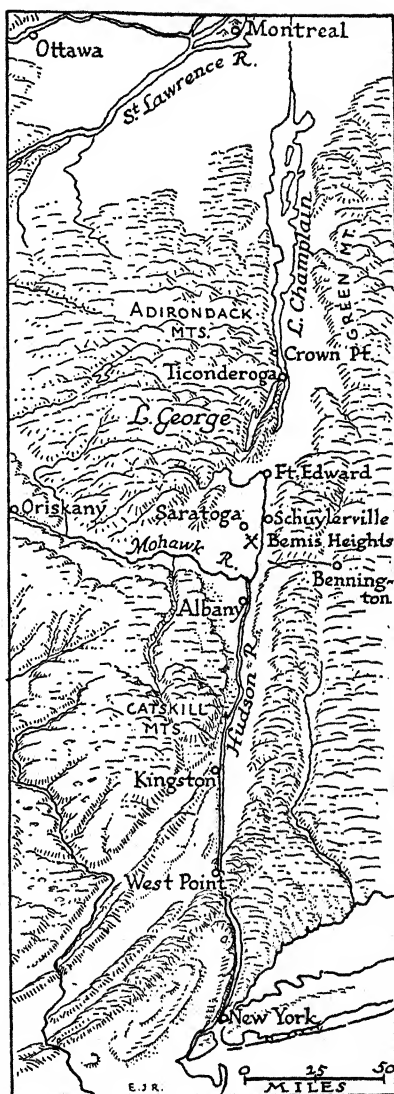
By midsummer the actions of the generals in America gave the question its answer. A British army under General Burgoyne had appeared on Lake Champlain, captured Ticonderoga (July 2, 1777), and was marching south. Colonel St. Leger had landed at Oswego, rallied the Tories of western New York, and was marching east toward the Mohawk. A glance at the map showed plainly enough what these armies intended—a junction in the neighborhood of Albany. But what of Howe? Washington had anxious days watching for his next move. Still more anxious days followed a splendid spectacle which was observed from Washington's outposts, July 23. A great British fleet, lying in New York harbor, 229 sail, spread its mountains of canvas and stood out to sea. Aboard it was Howe with 18,000 men. What next?

Sending Daniel Morgan to join the northern forces that must deal with St. Leger and Burgoyne as best they could, Washington

moved cautiously westward. He thought that Howe might be aiming at Philadelphia. Presently his guess was confirmed by reports from the south. Believing that Howe had made a fatally false move, Washington set out at top speed for the head of Chesapeake Bay (August 22). He was in high spirits. One of the northern expeditions had already failed. St. Leger, checked by the stubborn defense of Fort Stanwix, had lost heavily in a furious battle at Oriskany (August 6) and was retreating toward Canada. Burgoyne had found militia swarming about him. A portion of his army attempting to seize American stores at Bennington had been sharply defeated (August 15). Washington wrote that all New England should now turn out and "entirely crush General Burgoyne."

As Washington rode south, his hopes high, he did not dream that he was about to be put to his most severe test. Howe landed at the head of Chesapeake Bay (August 23) and moved slowly northward.

Washington awaited him at Brandywine Creek. The battle which followed (September 11) is admittedly Washington's most conspicuous failure. He got his army into an untenable position and



THE HUDSON-MOHAWK VALLEY IN THE REVOLUTION

only by swift and skillful retreat saved it from destruction. Congress fled from Philadelphia to York, which for the next nine months was the American capital. Howe occupied Philadelphia (September 22) but fixed the main British camp at Germantown. Washington hovering nearby attempted to take it by surprise, and was again defeated (October 4).

But these misfortunes were far more than offset by the glorious achievement in the far north. Washington's call to the north to rise had been fully answered. A veritable people's war raged around Burgoyne. And though the commander whom Congress had sent north was the incompetent Horatio Gates, he was sustained by many valiant subordinates including at least one military genius, Benedict Arnold. What with the swarming of his enemies and the difficulty of obtaining supplies, Burgoyne's advance was slow. A furious drawn battle at Stillwater (September 19) was soon followed by Burgoyne's defeat at Freeman's Farm (October 7). At Saratoga he was completely surrounded by forces that outnumbered his own four to one. He surrendered his entire army October 19, 1777.

Though Americans were not aware of it, the second stage of the war had come to an end. Unhappy as Washington was after his failure at Germantown, the news of Saratoga, could he have looked into the future, would have made his trouble seem light. The world war was now a certainty. Not knowing this, Washington set his face grimly to endure terrible hardship. After keeping his forces in the open, ready for Howe's next move, he prepared to follow his example and go into winter quarters. Orders were issued to concentrate at Valley Forge. Dreary omens were the heavy snow-storms through which, in December, 1777, detachments of ragged, ill-fed continentals approached their fated rendezvous, leaving bloody foot-prints on the frozen roads.

(6) International Intrigue

While this second stage of the war was running its course, the American cause became a fashion in Paris. Impetuous young liberals shouted Americanism. They discovered that the Americans held all the ideas which were the fashionable shibboleths of their political creed. It was the day of Rousseau, of the aristocratic republicans, of the salons, of the fearless rationalists who brought

out the original *Encyclopedia*. The ideas of Locke had permeated the French intelligentsia scarcely less than the American.

Many volunteers went to America. Though not a few were mere adventurers, some were high-minded men. Among them were trained public servants like Baron de Kalb, who had been one of the most observant of those secret agents that had studied America for the French ministers. More valuable than a brigade of regulars was the Baron von Steuben, a German nobleman, whose generous spirit had been outraged by the sale of his countrymen for service against the Americans. While on a visit to Paris he caught the American infection and impulsively adopted the cause. An accomplished veteran of the wars of Frederick the Great, Von Steuben eventually became Washington's right-hand man. At Valley Forge it was Von Steuben as drill master, along with Greene as commissary, that made possible Washington's resumption of the war in 1778.

The most famous of these volunteers is, of course, the charming young Marquis de la Fayette. He came over in 1777 and shared the miseries of Valley Forge.

However, all this sentiment and interest in America did not have much effect upon the course of events. France wanted war if the Americans were equal to doing their part and if Spain would co-operate; but otherwise the risk would be too great. We have seen that Vergennes shied off in the summer of 1776. By the summer of 1777 he had decided that the matter must be decided within the next few months—either war, Spain co-operating, or else a friendly policy toward England.

Spain was in a quandary. It was hard to bring her interests and America's together. She wanted to conquer Portugal, which was England's ally; the Americans had no objection. She wanted to recover Florida, even dreamed of recovering Jamaica; again, the Americans were willing. But she also wanted to keep her hold on the mouth of the Mississippi; at that the Americans showed their vision of future greatness by insisting that the Mississippi must be open to them without restrictions. Spain wanted to fix their western boundary at the proclamation line of 1763; the Americans replied that their country extended to the Mississippi.

All the subtlety of Vergennes, reinforced by the skill of Franklin—one of the ablest of diplomats—had not succeeded in bringing

Spain into the game when news arrived at Paris (December 7, 1777) of the surrender of Burgoyne. Vergennes' argument now was that England would certainly come to an understanding with America, and the golden opportunity to destroy her commercial leadership would be lost if France and Spain did not seize the occasion. But still Spain was unwilling to concede the points insisted upon by the Americans.

England at this moment of crisis justified Vergennes' anxiety. Lord North gave notice in Parliament (December 10) that he would bring in a bill, just after the Christmas recess, offering conciliation to the colonies. Chatham, whose statesmanlike imagination divined what Vergennes and Franklin were about, implored Parliament not to adjourn until this business was dispatched. But the members would have their holiday. One of the strangest ironies of history is this throwing away an empire to save a Christmas recess.

When, at last, North brought in his conciliatory bill (February 17, 1778) it granted every American contention on the one condition of remaining in the empire. He confessed he had never believed in the war, had accepted it merely to please the King. Parliament heard him in amazement and silently passed his bill.

It was too late. They had had their Christmas recess; they had lost America. On February 6, 1778, the King of France had signed two treaties with the United States, one of commerce, one of alliance. A few days after the passing of the Conciliation Bill France notified England of her alliance with the United States and a world war began.

(7) The Second World War

To understand the American contribution to this stupendous conflict whose wavering battle lines extended over land and sea, from the heart of Illinois to the heart of India, it is vitally necessary to have well in mind the general framework of the international event, especially during the three and a half years to October, 1781. Those years form the first main division of the war, the period of the fall of the old British Empire. The remaining years form the second main division, the period of the astonishing British recovery, both spiritual and physical, and the birth of England's modern empire.

A brilliant American historian has described the war as "Britain

against the trading world." Though not quite accurate—for Britain was herself the chief element of the trading world—the phrase is none the less illuminating. In all the secret negotiations that preceded 1778 each negotiator had instinctively gone to the heart of the matter. Admitting trade to be the basis of the world they lived in, none of them had any illusions. Trade facts, or trade possibilities, were the coin of their diplomatic bargains. Not the least of Franklin's claims to greatness is the skill with which he translated ruthlessly all the issues of the moment into terms of trade. He knew that America had to buy her freedom; the inducement he offered to Europe for making her quarrel its own was the vision of a new trading world with England no longer dominant. The first step would be the shifting of American markets from the English sphere of influence to the French sphere. Along with this should come the gathering of all the other trading nations into a protective alliance of international commerce in which England should not participate.

Vergennes was equally clear-sighted. Hence the diplomatic side of the war is not the least important.

The first diplomatic success was bringing in Spain. The determining consideration was Gibraltar. Fearful of American pretensions as Spain was, her longing to see England ejected from Gibraltar at length overcame her doubts. Though persistently refusing to become an ally of the United States, she became an ally of France and entered the war (1779).

Frederick the Great had been party to the intrigues of Vergennes. He had his own quarrel with England (page 125). But it was not Prussia's interest to go to war. A subtler way of striking England, of promoting the trade league against her, lay in international law. The right of search at sea was not as yet very sharply defined, but there was pretty clear understanding that ships of neutrals during war might be searched on the high seas by a belligerent and forced to surrender goods intended for the use of an enemy. The ship itself could not be confiscated. England naturally wished to maintain this principle. In protest there was now brought forward the doctrine that "free ships make free goods"; that a neutral on the high seas could not be compelled to surrender enemy goods. Obviously this new idea would enable Americans to trade with all the

world except so far as England might actually close ports through blockade.

The astute Frederick had great influence with the Empress Katherine II of Russia. He induced her to proclaim Russia's acceptance of this new idea (March, 1780). He brought France and Spain to endorse her policy. Then followed a crafty device for making it too momentous to be disregarded. The northern powers formed a league of "Armed Neutrality" for the maintenance of the new maritime rule. It was agreed that Russia, Prussia, Sweden, Denmark, Holland, and some minor neutral powers, should enforce the rule of free ships and afford mutual protection to their commerce.

The most serious aspect of this Armed Neutrality, from England's point of view, was the participation of Holland. Her carrying trade was still enormous. Ever since the Declaration of Independence the Dutch had been helping the Americans, permitting us to trade with their West Indian possessions and to place loans at Amsterdam. Munitions of war were exchanged for tobacco, and when tobacco gave out munitions were advanced on credit. Saint Eustatius became a precious trading outpost for the Americans. Now, through the new rule, with the Armed Neutrality behind it, Holland dropped all pretenses.

England in 1780 was in a desperate situation. But her courage had risen with her danger. The previous year, shortly after Spain entered the war, the British sea power had appeared about to crumble; the famous siege of Gibraltar had begun and a French-Spanish fleet held the English Channel. In the course of 1780 a great naval effort gave England once more control of the sea. Spain was beaten off from Gibraltar. England determined to have it out with Holland. In order to strip Holland of the protection of the Armed Neutrality, she found a pretext for declaring war¹ (December, 1780) and promptly seized Saint Eustatius. At the close of 1780 England seemed in a fair way to beat all her assailants. Her hopes will seem still better founded when we come to review the war in the American theatre. A further alarm to the allies was the course

¹ The ironic element in all this is the character of the terrible but capricious Katherine, who at first was the mainstay of the Armed Neutrality. She stood aside and allowed her theoretical ally to be forced into war, despite the agreement for mutual protection. She chose to believe, or said she believed, that trade was not the cause of the Dutch War.

of French policy in Asia. Her agents had swarmed at the court of Hyder Ali, Sultan of Mysore. No small item in the international situation was the ravaging of the Carnatic by Hyder Ali at the head of 90,000 men. But the genius of Warren Hastings, the controlling spirit in British India, had not been daunted. At the close of 1780, though all the English forces in India were fully engaged, the scale was turning in England's favor.

(8) *In the American Theatre*

Meanwhile, what had the Americans done?

That terrible winter at Valley Forge had witnessed not only the splendid work of Greene as commissary and Von Steuben as drill master in support of Washington, but also shameless intrigues to deprive him of command and put Gates in his place. General Conway was the arch-conspirator. His "cabal" broke down because of the faultless devotion to Washington of all the better men among the army leaders. To work up a strong movement against him inside the army proved impossible.

With spring, 1778, came the news of the French alliance, and shortly after came evidence that Sir Henry Clinton, who had succeeded Howe as commander-in-chief, was preparing to evacuate Philadelphia. A French fleet was at sea. Clinton aimed to concentrate at New York before the fleet reached American waters. As Clinton moved northeastward in a long, straggling column, Washington attacked him at Monmouth Court House. Charles Lee so bungled the American advance that Washington, who galloped up in a rage, was barely able to save the day. Clinton escaped to New York.¹

France's first demonstration in the American theatre came to nothing. Admiral D'Estaing threatened New York, but thought better of it—Admiral Lord Howe being there with a fleet much inferior to the French—and sailed away. He then threatened Newport, only to call Howe and Clinton thither, and again to sail away.

Throughout the war the ultimate key to all its successes was sea power. In 1778 England had not suffered materially at sea. It was

¹ Whether Lee was acting treacherously is still a disputed point. He was court-martialled and severely reprimanded but not found guilty on the main charge. See the *Lee Papers*, published by the New York Historical Society, and Stryker, W. S., *Battle of Monmouth*, 241-257.

easy for her to shift from front to front in America. Spain had not yet come into the war. Florida was not menaced. With Florida as a base, the British prepared to open a new front. An army was landed near Savannah, the city taken (December, 1778), and a line of posts thrust up into the interior of Georgia. The next spring General Prevost came up from Florida, scattered an American army at Brier Creek (March, 1779), and threatened Charleston.

The British had thus established what may be called their pincers strategy in America. With the sea as their true base—the pivot so to speak of a pair of pincers—their two American armies, one at New York, one in Georgia, might in time shut America in their jaws. Obviously, this strategy rested on sea power. What was to become of America depended upon who controlled the sea.

France made a half-hearted attempt to frustrate this strategy by her second demonstration in America. In the autumn of 1779, when everything seemed so promising in Europe, shortly after Spain came into the war, a French fleet appeared off Savannah commanded by D'Estaing and carrying an army. The latter was joined by the American army of the south commanded by General Lincoln. Both were thoroughly beaten by Prevost in the battle of Savannah (October 9). Frenchmen and Americans each blamed the other for the defeat, and D'Estaing fell back on the comfortable practice of sailing away.

England retained control of the western seas and therefore her pincers strategy was secure. In her fortunate year 1780, Clinton, whose headquarters were still at New York, was free to move back and forth, north or south, as he pleased. Washington dared not remove his army, which kept New York under siege. Clinton removed a considerable force to Charleston, which was besieged and taken (May 12); then he returned to New York, leaving Cornwallis in command in the south.

Congress made one of its worst blunders by sending Gates to replace Lincoln. The vigorous Cornwallis inflicted upon him the greatest of American defeats at Camden (August 16).

It was against the background of these successes in America that England, when the tide was turning her way in India, took the high hand with Holland, forcing the war into its widest stage, which she hoped to make the final one.

An item in the British score against the Dutch was their having sheltered John Paul Jones. That noted sea-rover had been the first to raise the American flag¹ upon a ship of war. Subsequently, in an old ship, the *Bon Homme Richard*, obtained from the French authorities, he fought his famous action with the British warship *Serapis*, which struck her colors (1779). Despite British enmity



CLARK'S ROUTE TO VINCENNES IN THE NORTHWEST TERRITORY

Holland harbored him ten weeks. When England forced Holland into war, America lost a secret naval base as well as a vast opportunity for trade and a depot of munitions.

While these great events were filling the world's eye, another military front had developed along the American frontier. "The rear of the revolution" the frontier has been called. All along the rear, in the woods and mountains, flamed the worst phase of the war. It started in the north, where western New York became a refuge for Tories. Embittered by proscription, these people turned upon their Whig neighbors in a deadliness of hate. Calling the Indians to their assistance, and with help from Canada, they ravaged Wyoming

¹ Our present flag was adopted by Act of Congress June 14, 1777. An additional stripe and an additional star were added with each state until 1818, when Congress reduced the stripes permanently to the original thirteen.

(1778) and Cherry Valley (1779) with a ruthlessness that has never been forgotten. The frontier replied in kind by virtually destroying the Six Nations, who were allies of the Tories (1779).

Detroit was the British base in the northwest. From Detroit, Colonel Hamilton organized the Indians for raids upon the frontier. George Rogers Clark, a settler in Kentucky, determined to safeguard the whole frontier by conquering the British posts in the west. Patrick Henry, now governor of Virginia, authorized him to raise an army if he could, and to pay it with paper money of Virginia (January, 1778). Clark joyfully set out for the west; raised a small force; marched to Kaskaskia on the Mississippi, which he occupied (July 4, 1778); remained there six months; and in the midst of the following winter performed a miracle by marching his army through long stretches of flooded country to Vincennes, where he surprised and captured Hamilton (February, 1779), and put an end to the northwestern menace.

The southerly tip of the frontier settlement was still in that region of eastern Tennessee where Watauga and Nashboro stood on the edge of the Cherokee country. The powerful fur-traders at Mobile, such people as the McGillivrays (page 195), stirred up the Cherokees, and kept the southern frontier in an uproar. In the autumn of 1780 the frontiersmen of this southerly region, throughout Georgia, the Carolinas, and Virginia, were between two fires. They were watching the Indians; they knew that Cornwallis was ravaging the coast country and working toward the back country. When it was known that Major Patrick Ferguson had taken an exposed position, a swift gathering of horsemen from many points along the mountains was followed by Ferguson's death and the destruction of his force at King's Mountain (October 9).

The war in the Carolinas had become relentless. Whigs and Tories harried and slew without mercy. For a time only the heroic guerilla leaders, such as Francis Marion and Thomas Sumter, had kept the Whig cause alive. The victory of King's Mountain renewed hope. Jefferson spoke of it as "the joyful turn of the tide."

(9) *The Final Stage*

To Washington, as the year 1780 drew to a close, it did not seem that the tide had turned. The country was well-nigh hopeless. Con-

gress money was a laughing stock. The army had not had any pay worth the name for three years. Recently a terrible blow had been given to patriotic morale by the attempt of Benedict Arnold to betray to Clinton the great fortress of West Point (September, 1780). The plot was discovered in the nick of time and Arnold fled to the British camp.

Meanwhile France had made her third demonstration in America. Rochambeau, with 5500 men, had arrived at Newport (July, 1780). There he lay quietly the rest of the year. "Nothing without naval supremacy" was his reply to all who urged him to take action. Washington, though deeply distressed, admitted the correctness of this view. Ever since Monmouth he had kept New York under siege. The Americans lay encamped before New York while the French lay at Newport. But as winter came on and mutinies broke out in the army—especially a very serious one in January, 1781—Washington felt that the crisis had come.

The English armies at the moment were "posited"—that is, held in position—by the forces thrown against them in the several theatres by the allies. But they were all articulated by British control of the sea. If any of these forces could be released, if in any theatre England should force a conclusion favorable to her interests, if she were thus able to concentrate her strength, the allies were lost. Of all the theatres, the American was the one where the odds in England's favor were greatest. If the allies wanted to win the war, England must not at any cost be allowed to concentrate. To make that impossible two things were necessary: the allies must get control of the sea, and America must be reinvigorated. Washington, always clear-sighted, made no bones about the situation. "Without a foreign loan," he wrote, "our present force which is but the remnant of an army cannot be kept together. . . . If France delays a timely aid in the present posture of our affairs, it will avail nothing should she attempt it hereafter. . . . In a word, we are at the end of our tether and, now or never, deliverance must come."

Though Franklin was still at his post in Paris, it was decided to send over a special mission, with a view to rousing France to a full sense of the allied danger. Tradition has it that the good looks of young John Laurens, the special envoy, contributed to the success of his mission. The Queen of France, the frivolous Marie

Antoinette, was highly appreciative of handsome young men. Apparently her influence did its part in bringing about the great effort made by France in 1781. First of all, King Louis copied Pitt's policy toward his German Allies in the Seven Years' War. America was virtually subsidized. At a time when the gold dollar in America was worth a thousand paper dollars, when the credit of Congress was a mere fiction and its debt enormous, Louis presented us with 6,000,000 livres, loaned us 4,000,000 more, and guaranteed a further American loan of 10,000,000, which was floated in Holland.

Everything now hung on breaking the sea power of the British. Clinton's policy was to wear out the Americans by a series of blows delivered at widely separated points on the coast. Confident of his control of the sea, he thought himself secure. By means of the sea he had a freedom of movement which the American forces could not rival.

Early in 1781 his forces were divided in three. Besides New York, and Carolina, the British fleet had enabled him to establish another theatre of war in seaboard Virginia. As events proved, he was taking a great risk. But when one remembers that this was the daring moment when England had just forced Holland into the war (December, 1780) and that the capture of Saint Eustatius occurred in February, 1781, it is evident that Clinton had good ground for his boldness.

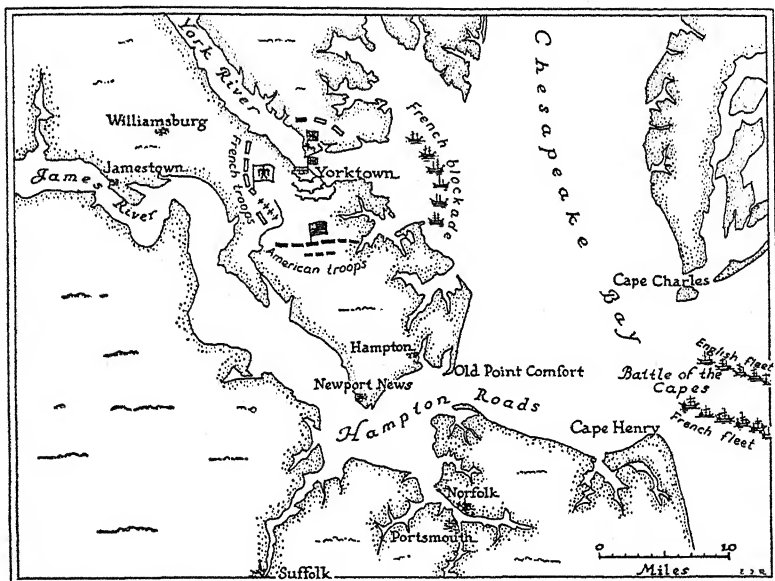
Cornwallis, to be sure, was in trouble. Nathanael Greene, who had replaced Gates, was a soldier of genius.¹ His able lieutenant Daniel Morgan shattered the British cavalry at Cowpens (January 17, 1781). A furious drawn battle at Guilford Court House (March 15) forced Cornwallis to turn aside to Wilmington to recuperate. While Greene swept down into South Carolina, all of which he eventually recovered, Cornwallis turned northward (April 25), with a view to uniting with the British in Virginia. This he accomplished. He beat off inadequate American forces, narrowly missed

¹ Greene's Carolina campaign illustrates the strange truth that a general may lose all his battles yet win his war. Though the British superiority in men and equipment generally gave them the field in actual encounters, Greene's skillful manoeuvres forced them to shift their positions as he desired and eventually to uncover all the strategic points at issue. Greene's army was a typical American force. He brought south a few hundred regulars and a corps of trained officers, the product of Washington and Von Steuben. The bulk of his force comprised raw levies.

capturing the governor and the legislature and fixed his headquarters at Yorktown.

Still the British appeared to have control of the sea. Clinton and Cornwallis, who were in bad humor with each other, conducted a lively quarrel by correspondence, the King's ships going back and forth between Virginia and New York at will.

And now the centre of the stage is taken by the one grand figure produced by the allies—Washington excepted—in the course of the



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war. The Count de Grasse forms a brilliant contrast to the inefficient D'Estaing. A trained sailor, an admiral of genius, his sea-duel with the great Englishman Rodney is as dramatic as anything in warfare. Though Rodney seemed to have outdone him by the capture of Saint Eustatius, the honors of 1781 are in the main with De Grasse. With great skill he succeeded in concentrating the French naval power in the West Indies, while the British power was still distributed all up and down the Atlantic. He was now prepared to pounce upon the American coast. French cruisers carried word of his design to Rochambeau at Newport, who at once informed Washington.

A second time Washington formed a plan of supreme audacity. He would risk it that De Grasse could succeed in getting control of the western Atlantic; he would steal away from before New York and march to the Chesapeake; De Grasse would cut the communication between Clinton and Cornwallis; the latter would be surrounded and, as a fighting element, destroyed. It was to carry out this bold design that Washington and Rochambeau suddenly marched south. Before Clinton could be sure what they were about, De Grasse reached the Chesapeake. The British naval forces under Clinton's control rushed at once to meet him. It was life or death for their cause to preserve communications with Cornwallis. On September 5, 1781, De Grasse met the rescuing fleet in the Battle of the Chesapeake and won the victory that was the key to the situation. The shattered British fleet sailed back to New York. The allies at last had control of the sea.

With desperate haste Washington and Rochambeau made the most of their opportunity. A furious siege of Yorktown was eagerly pressed. Portions of the defenses were carried by storm. Cornwallis, who was a humane man, decided to save his men's lives and put an end to the useless slaughter by surrendering his entire army. On October 19, 1781, he marched out of a town that had been practically destroyed by artillery fire.

(10) The British Recovery

This catastrophe to the British arms in America was the final turning-point of the war. It closed the first main division and insured the disruption of the old British Empire. At the moment the Allies thought that England was at their mercy. Could De Grasse have continued his successful career, she would have been. But now came the British recovery. When negotiations for peace began, the international situation was far different from what it had promised to be the day Yorktown was surrendered. De Grasse, for all his abilities, had been vanquished in his sea duel. In a great battle off Dominica Rodney met the concentrated sea power of France and astonished the world by gaining for England one of her most memorable victories (April 12, 1782). England again had control of the sea. Consequently, when peace negotiations began at Paris in the summer of 1782, England was once more a formidable adversary,

with whom no one desired to continue hostilities. While negotiations were in progress another great success further enhanced the recovery of British prestige. After besieging Gibraltar for three years Spain launched what seemed in those days a stupendous offensive. Its complete failure in September, 1782, was in all men's minds while peace was under discussion.

(II) *The Peace Negotiations*

Meanwhile Lord North's ministry had been overthrown; the Whigs had returned to power under that same Lord Rockingham who repealed the Stamp Act sixteen years before; on his death a few months later, he was succeeded as prime minister by one of America's best friends, the great Lord Shelburne. The agent of Shelburne in the peace negotiations, Richard Oswald, was instructed to "regain the affections" of the Americans.

Congress was represented by four commissioners—Franklin, John Jay, John Adams, and Henry Laurens. In some respects the views of Jay colored deeply the thinking of his associates. He had represented the United States in Spain, knew how determined Spain was to raise a barrier against American expansion, and felt that come what might the Spanish designs must be defeated. Spain stood fast in the position taken in 1777—the Americans must be shut out of the Mississippi valley. This demand, which the Americans regarded as the destruction of their future, was made with renewed arrogance because Spain in 1780 and 1781 had overrun and now held all of West Florida. Complete Spanish control of the Mississippi, the thrusting back of the Americans beyond the Proclamation Line of 1763—these demands formed the Spanish ultimatum.

Vergennes was in a quandary. He wanted to propitiate Spain. Very probably he wanted to see issue from the negotiations a weak United States that would have to depend upon France. But he had had enough of war and did not want to rouse the British to continue fighting. It is possible that he was trying hard to please everybody. What he succeeded in doing was to inspire the Americans, especially Jay, with the belief that he was playing the hand of Spain.

The American ultimatum was—recognition of independence, the

Mississippi as a boundary, and the freedom of the North Atlantic fisheries, which, to New England at least, were vital means of support. The Americans hoped also for free navigation of the Mississippi.

Congress, under the influence of the French minister at Philadelphia, had instructed the American commissioners not to bind themselves in negotiation without the "knowledge and concurrence" of the French Government. No embarrassment had arisen from this requirement until in September, 1782, Vergennes communicated to the Americans a surprising proposal. All America east of the Alleghenies was to go to the United States; the area between the mountains and the Mississippi, and above the Ohio, was to be divided between the new republic and England in future negotiation; below the Ohio, west of the mountains, the Indians were to be confirmed in possession under joint arrangement between the United States and Spain.

In the startled eyes of the Americans this was the Quebec Act over again on a larger scale. It was putting them back to 1763 and the Proclamation Line. They had gone to war, in no small part, to get rid of both those restrictions.

The war, in their minds, in addition to all its other meanings, meant the winning of the West as a glorious field for American expansion. From the moment Vergennes proposed their exclusion from so much of the West, confidence in him was gone. Under Jay's lead they decided to ignore their instructions and form an understanding with England in advance of the formal negotiation for a treaty.¹

As a result of indirect negotiation with Shelburne (November, 1782) the Americans obtained a provisional treaty conceding the Mississippi boundary and the freedom of the fisheries. As between the English and the Americans the navigation of the Mississippi should be free. The northern boundary to the United States was defined. A secret clause provided that if England ceded Florida to Spain it should retain its former northern boundary, the thirty-first

¹ The episode is a very complicated bit of diplomacy, in which the psychological factors, the fears, the distrusts, misapprehensions, sensibilities, form altogether the major part. Many writers have found it impossible to review the episode without becoming advocates. An admirable brief statement, neither pro-French nor anti-French, is the dozen pages on the subject in Greene's *The Foundation of American Nationality*.



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parallel; but if England retained Florida, the Americans would agree to moving the Florida boundary west of the Chattahoochee River up to the parallel of the mouth of the Yazoo River, which had been the boundary during British occupation. No impediments were to be placed in the way of collecting debts due in America to British subjects previous to the Declaration of Independence; Congress should recommend to the States to deal leniently with the Tories and to restore their confiscated estates.

When the Americans and the British disclosed this understanding there was bitter recrimination from the French; but no one was willing to take the risk of preventing the return to peace. Eventually, a formal treaty between the British Crown and the United States contained the whole of the British-American agreement, with the exception of the Florida item, contained in the secret article which was not made public. From this, and from various ambiguities in the description of the boundary between the United States and Canada, serious confusions were destined to arise. The treaty was signed September 3, 1783. Previously England had ceded Florida to Spain without defining boundaries.

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CHAPTER XI

REAL REVOLUTION

(1) *Government by Private Associations*

FOR nearly ten years before the calling of the First Continental Congress, Americans had been perfecting themselves in the art of working up public excitement through private associations. Very effective had been the secret society of the Sons of Liberty that came into existence in the agitation against the Stamp Act. The Committees of Correspondence, though appointed by Legislatures or town meetings, were controlled by the majority party and were used for party purposes. The mass meeting skillfully handled by determined leaders became a powerful instrument upon which many tunes might be played. It was because the country was so familiar with methods of this sort that the royal governors, when they dissolved the assemblies (page 197), failed to head off the movement for a Continental convention. In a flash, in every colony, the Whigs had an organization that enabled them to elect delegates, whether chosen officially as in Massachusetts, or, as was more often the case, by the unofficial organizations.

Obviously, the First Continental Congress was a party body. The Second, more distinctly so. It was chosen in practically the same way as the First.

During the winter of 1774–75 the Whig organization was swiftly and powerfully developed. In every colony a network of unofficial committees under various names—Committees of Safety, Committees of Observation—engineered the election of a “convention” or

a "congress" made up of representatives from all the localities of the colony. Theoretically, these elections were free and open expressions of public opinion. But the powerful local committees kept things firmly in hand and always the convention or congress was controlled by the popular party.

Sometimes, as in Pennsylvania, the resulting provincial congress held its sittings in frank rivalry with the assembly, threatened or warned the assembly, and was finally recognized as its master. More often, the governor of the colony had dissolved the assembly, would not convene it, and the revolutionary body, setting the governor at defiance, issued its orders to the people as if it had lawful authority. The committees worked through intimidation, warning people of popular resentment against siding with the King, and making frank demands for money. A typical move was the publication of such notices as this warning that "every inhabitant of this county who on personal application by any one of the aforesaid Committee of Observation . . . shall refuse to contribute . . . to the purchase of arms and ammunition for the use of this county is, and ought to be esteemed, an enemy of America."

An astonishing illustration of their power occurred in Maryland. A supply of arms was in the possession of the governor. The leaders of the colonial convention called upon him and demanded the arms on the ground that popular excitement might lead to disturbances which the convention wished to be prepared to quell. The governor "expostulated." But there were no royal troops in Maryland and the arms were given up.

In the summer of 1775 the committees began requiring a test oath. Woe to any one who refused, when called upon by his local committee, to swear allegiance to the popular cause.

(2) Colonies Transformed into States

In the course of 1775 it became impossible for the royal and proprietary governors to continue their functions. By the end of the year all but four had abandoned their posts. Besides Gage, with his army in Massachusetts, the royal governors remained only in Pennsylvania, Maryland, and New Jersey. And all but Gage had ceased to exert any influence. As all the Crown officials depended upon the governor, and as only the governor could summon the

assembly, the official government, outside Rhode Island and Connecticut, was in hopeless confusion. Everywhere the actual governing power, despite its illegal character, was the provincial congress or convention, backed by its sustaining committees. The question naturally arose in many minds—shall these revolutionary bodies take over the government? This was not contemplated as a step toward independence. English political traditions were still very strong. The men who suggested doing this thought of it as Englishmen had thought three generations earlier when they formed an irregular Parliament which became the actual government after the flight of James II, and which set up William and Mary as sovereigns. But, any way they took it, this confessed usurpation of government would be a very bold move. Was the country ready for it? The Whigs of New Hampshire asked advice of Congress. Congress found courage to advise them to take the risk (November, 1775). In several colonies the Whig organizations promptly set up temporary colonial governments to fill the vacuum caused by the flight of the royal governors. By July 4, 1776, New Hampshire, Massachusetts, and South Carolina had such governments; Virginia was drawing up a constitution for a permanent government. By the spring of 1777 every state had a new working government based on the assumption that "the People" had set it up and were its source of power.

While these bold moves were going forward, the sentiment for independence was becoming irresistible. In May, 1776, Congress formally recorded its belief that government should derive solely from "the authority of the people of the colonies." Then came the Declaration of Independence, and every colony was, in theory at least, a "free and independent state."

The work of forming state governments based entirely upon Whig principles now went rapidly forward. In Rhode Island and Connecticut the people already had so much power that the change was scarcely perceptible. Other colonies adopted written constitutions that might almost be described as resurrections of the old charters liberalized and brought down to date. These constitutions were prepared either by the revolutionary convention of the colony, or by a special convention called for the purpose. In theory, such a constitution was an expression of the will of "the People" and

some of them were submitted to general vote before they went into effect. In some form or other all of them contained the idea that "the People" are sovereign. The Massachusetts government summed up the philosophy of the new régime in its assertion that, "The People alone have an incontestable unalienable and indefeasible right to institute government." Except for these generalities, the constitution-making was on the whole a relatively conservative movement. Even the changes introduced into the machinery of government were no more than the natural outcome of the long colonial resistance to the Crown. The office of governor, which was everywhere revived, did not suffer material restriction except in two respects. Some states deprived him of the veto. Much more important was his loss of control over the calling of the assembly. Hereafter it was to meet of its own volition at stated times and would not have to wait for his summons.

In adopting its constitution each state gave expression to that deep-seated idea which the Americans had asserted so often, the idea of fundamental law. The constitution, however created, was supposed to form a body of law quite different from the ordinary law made by a legislature. This law was held to be the expression of the will of the people acting as a unit, and could be changed or abolished only by the same great unit that now was declared to be the sovereign.

No radical changes were made in the relation of the three parts of government—executive, legislative, judiciary—one with another. Almost without exception the legislature had two houses, the old council of state being now succeeded by the Upper House. The relations of the two were the traditional ones of the past.

There was no break in the legal tradition. The old laws remained in force unless specifically repealed or altered. Those political guarantees of individual liberty about which so much had been said were generally secured by the enactment of a bill of rights as part of the state constitution. The courts of the state continued all the functions of the courts of the colony and in addition inherited within their boundaries the legal functions of the Privy Council. They even took over the supreme function of the council, its power to pass upon the constitutional validity of the acts of the State Legislature.

(3) *Reorganization of Society*

These new state governments rested on precarious foundations. In every state there were the remains of the four social groups that existed in 1764 (page 184), but these groups were breaking up and new groups were being formed. New issues were appearing. The most significant social fact was the preoccupation of a large part of the population with purely internal issues. These people were so numerous that they could not be ignored. If they combined against the new governments, the task of sustaining these governments would be very great.

The men who were actively concerned in making the new governments realized that there had to be created a clientele committed to support them. They went in, rather grimly, to create such a clientele by means of two lines of policy: (1) By committing the indifferent or discontented masses to the support of the new governments; (2) by destroying so far as they could the conservative class from which their enemies, the Tories, were recruited.

(1) A bid for the support of the masses was the general extension of the suffrage. Changes in the qualification for voting were not as sweeping as might have been expected, for the reason that the distribution of representation rather than the franchise was the chief grievance of the poorer classes, but the changes were material. Before the Revolution six colonies had required a voter to own real estate—in the north a freehold worth at least forty shillings a year; in the south, where land was plentiful, the requirements seemed larger on paper but were still small. The Revolution tended toward giving all taxpayers the vote and in states which did not do this the money requirement was materially lowered.

The redistribution of representation caused still more far-reaching changes. Hitherto, by one legal device or another, large areas had been either excluded from representation altogether, or given much less representation proportionately than was given to more fortunate areas. In Virginia, for example, the tidewater region was fully represented; the back counties, whence Patrick Henry recruited his following in 1765 (page 182), were scantily represented. A crying instance was South Carolina. The tidewater portion was organized in counties with adequate representation; the

"up country" was organized in "districts," which had no representation. And yet, more than half the white population lived in the districts and were thus disfranchised. The new state government dared not leave that majority of whites outside its scope. Accordingly, the districts were given representation. But so firm was the hold of the low country upon the machinery of government that out of 184 seats in the legislature only 40 were apportioned to the districts. However, this concession satisfied them for the time.

It was in ways like the foregoing—through enfranchising whole regions, or through giving them new proportions in the allotment of seats—that the balance of power in the voting population was radically upset. Gradually, through the joint effect of the new franchise laws and the new distribution laws, a new electorate came into existence. Only a few years were needed to make it a tremendous power.

(2) The other way through which the clientele of the new governments was built up was pursued at times with ruthless severity. A veritable proscription of Tories took place. At first it was spasmodic and was executed by the irresponsible local committees. The state governments took it out of the hands of the committees, systematized it, and made it profitable. There was widespread confiscation of the estates of Tories. Massachusetts made a sweeping confiscation of all the property of every one who had left the colony or state with the British forces. New Hampshire seized the estates of all its leading Tories. New York reaped a harvest estimated at over 3,000,000 Spanish dollars—no small amount for those days. The enormous estates of the Penn family were confiscated by Pennsylvania. Maryland got 450,000 sterling from confiscated estates. And so it went. The Tory claims against the British Government for compensation to cover losses due to their loyalty reached £8,000,000.

The disposition of the lands seized was a further detail in democratization of the new day. The estate held by the one magnate, James de Lancey, was disposed of by the State of New York to no less than 275 petty holders. The vast Grenville property in North Carolina melted away into numerous small holdings.

Through the ruin of so many persons of wealth, many opportunities for financial and social advancement were opened to a host

of energetic "new" people. Along with the beginnings of a new electorate we discern the beginnings of a new bourgeoisie—dimly at first, but with swift increase of definiteness as the revolutionary years roll by.

Quitrents went the way of the Tory property. It took but a short time to get rid of them everywhere. And along with them went old systems of land-titles. Everywhere it was made easy to acquire property in fee simple. The power to entail property was abolished in state after state, and, though this abolition was not universal at the close of the Revolution, the custom lingered in but two states, and in these it soon died out.

A movement to abolish primogeniture was also started. The eldest son had been the favored child in colonial days in New York, New Jersey, Virginia, the Carolinas, and Georgia. In all these states, either during or soon after the Revolution, he was reduced, so far as the law was concerned, to a level with his brothers. The daughters of a family, if their father died intestate, were, as a rule, given equal shares in his property with their brothers.

In every way, direct and indirect, the astute leaders of revolution were seeing to it that the masses were made to feel that the new régime was their friend. To be sure, they did not everywhere succeed in all their schemes. Maryland was perhaps the most striking instance of their partial defeat. The wealthier portion of the population succeeded in establishing a proportional system of representation by means of which they made themselves virtual rulers of the state. They held this position for several years. Their temporary success is another indication that other influences besides the purely revolutionary ones were already afoot. If some regard is not paid to these signs of reaction in the Revolutionary period itself, the apparent suddenness with which reaction appears in the next chapter will seem inexplicable.

(4) Significance of the Fall of the Crown

The most sweeping change within the states is still to be mentioned. We must bear in mind that the Crown in the old days was a great system of officials who discharged their duties side by side with the colonial officials. The unique thing in America (page 182)

was the fact that every American had grown accustomed to a double jurisdiction—the colonial officials having jurisdiction over every subject in the colony to the full extent of their functions; the Crown officials having jurisdiction over every one so far as the discharge of their functions required it. The whole system of Crown officials was now swept away. All the offices under the Crown were abolished. All the functions of these offices devolved upon officers representing the local state. It was this wholesale abolition of a great civil service that constituted the real overthrow of the Crown in the new-made states.

This termination of the duality of the two systems of officials, the absorption of the one into the other, formed the most sweeping break with the past that occurred in the Revolution.

(5) *The Confederation*

With the abolition of the Crown, there was no certain relation, established by law, binding the colonies together. That long process of self-absorption, each colony centring its thought upon itself, which the Crown had fostered, had come at last to its logical conclusion. Assuming the Declaration to have sundered the bonds to the Crown—not yet an accomplished fact, but one that might be accepted as a legal fiction—there existed in America in the late summer of 1776 thirteen independent states and a party convention that was waging a war which had to be carried through successfully or the so-called states would suddenly find themselves conquered provinces, with all their chief men held to be guilty of treason. Whatever the Continental Congress was in theory, *de facto* it was the thing the states had to back up and render successful if they wanted to continue states. This they prepared to do. By tacit consent it was assumed that the delegation which the Whigs of a colony had sent to Congress before the new state government was formed should now be regarded as a state delegation. Thereafter the delegates were to be appointed with a show of official regularity by the state legislatures that were to pay their salaries and give them instructions how to vote.

But this did not define the nature and the power of the Congress, nor the legality or illegality of its acts. When Richard Henry Lee

made the motion that prepared for independence, he also moved that steps be taken toward a permanent union of the states. A committee was appointed with John Dickinson as chairman. A report was promptly submitted, but more than a year passed before Articles of Confederation were agreed upon (November, 1777) and sent to the states for ratification.

In accounting for the peculiarities of this document, three main facts are important: (1) Only sixteen months had passed since the signing of the Declaration of Independence. The enthusiasm for ideal freedom, for the right of every one to life, liberty, and the pursuit of happiness was still in full flood. (2) The passionate denunciation of tyranny, the prepossession by the idea that governments very easily became tyrannical, was also strongly in men's minds. There was an easily explained impulse to make all government—and especially whatever had the look of imperial government—as innocuous as possible. (3) There was the recent overthrow of the Crown in the states. Exultant over having got rid of the double jurisdiction of Crown and colony, the new state governments were in no mood to receive again into their midst a second system of officials that should bring back again the old double jurisdiction of the royal period.

When at last Articles were agreed upon, they reflected all these considerations. They provided for a Congress which was substantially the same thing as the one that was then in session. (1) But this proposed Congress was to have no power to coerce any state; and no change was to be made in the Articles except by unanimous consent of all the states. (2) Each state was itself to be the judge how far it had fulfilled its obligations under the Articles. (3) No officials representing Congress were to have any functions that gave them power within a state.

In a word, the states were not going to set up the Crown once more under republican forms. At the same time they were going to carry to its last fulfillment all that insistence on complete freedom of initiative in money matters that had been contended for so hard in colonial days. They had not forgotten Pitt's system of requisition (page 134). Congress might make requisitions upon the states for anything it desired but each state was to decide for itself about granting the requisitions.

But with all this severe limitation upon the Congress, what, pray, was it? There was much disagreement at the time. But it seems tolerably plain, despite their contradictory expressions, what the men of 1777 really intended Congress to be. It was to stand for all of them acting jointly outside their own territory. Inside the boundaries of a state Congress and any civil service Congress might set up had no functions. But elsewhere—in foreign countries, on the high seas, in the army in time of war, in wild land belonging to the Confederation as a whole—Congress was to be their agent acting for them all.

As to details, Congress was to have but one house; all voting was to be by states and each delegation should have a single vote; an effort to assign votes in proportion to population failed; Congress was to have admiralty jurisdiction over Americans at sea; it was to act as a court for settling disputes between states; in apportioning money requisitions, the value of the improved land in the states was to form the basis of calculation; Congress was to fix a common standard of weights and measures, conduct relations with the Indians, and create a postal service; it had no taxing power direct or indirect; while it could make commercial treaties it could not retaliate for their violation nor compel states to observe them. The Articles were to create a confederation that was to be a perpetual league of friendship. Citizens of one state were to have full freedom to come and go and transact business in all the states.

For three and a half years the Articles hung fire, not because of their scheme of government but because of a dispute over western lands. Maryland led a group of small states which had no outlet to the west and no claims to western land. These "landless" states insisted that the "claimant" states, as the others were called, should cede to the Confederation their claims to land in the west. It was on this issue that the Articles were held up, while the Continental Congress, despite its anomalous position, went on "muddling through" with the war until, in March, 1781, the claimant states having given way, the Articles at last went into effect.¹

¹ Massachusetts, because of its sea-to-sea charter, claimed western New York, and what is now southern Michigan and southern Wisconsin.

Connecticut, for the same reason, claimed a strip of land adjoining the Massachusetts claim on the south and extending from Pennsylvania to the Mississippi.

New York, on the strength of treaties with the Iroquois, claimed all the lands

(6) New Social-Economic Alignments

The intensity of the feeling over the western land is further evidence that the Revolution was first of all a social readjustment. Though the small states were animated to some extent by the universal fear of creating powerful governments, though they did not want to see Virginia, for example, acquire a huge western area, there were other considerations more deeply based. Few things are more significant in the Revolutionary period than the steady flow of population into the west. When peace was declared, probably 25,000 adventurous settlers were already on the west side of the Alleghenies. In the light of subsequent events it is hardly rash to assume that a third or even a half of the population of the east was thinking about the possibilities of fortune beyond the mountains. That passion to possess the new lands, which began before the last French War and was one of the causes of the rebellion against the Crown, now became an epidemic. The poor faced westward to get a new start. The vigorous profiteers who had made money out of the war—and there were plenty of these, as always in wars—were eager to speculate in western land. The states which had western claims were determined to make use of those claims one way or another to help pay the arrears of their state troops. Finally, the new bourgeoisie that was beginning to show itself would be only too glad to see the restless, discontented part of the population shifted out of the old states and into the unorganized west. The Whig aristocrats were beginning to see that they and the Whig radicals might not be able to stay long in the same boat, and they also were quite in a mood to see the west made the safety-valve for the stormy part of the population. It is even probable that many secret sympathizers with the Crown preferred to start over in the region where men would be thinking altogether about the future and where the past would be forgotten.

Thus dimly, at the back of all the surface ebb and flow of the time, we see forming two divergent streams of social and economic

they had once dominated, including much of northern Ohio and part of Kentucky. Virginia, under her second charter (page 56), claimed the whole northwest including all the lands claimed by Massachusetts, Connecticut and New York.

North Carolina insisted that her area extended to the Mississippi.

South Carolina and Georgia made the same claim, though the claim of South Carolina because of later grants to Georgia covered a very narrow strip.

tendency, the foundations of the two political parties that are to appear a few years later: upon the one hand, the great Whig aristocrats who had helped bring on the Revolution because of their devotion to traditional English ideas of individualistic freedom; the commercial classes, the traders and money lenders who already were beginning to finance the new régime; the new bourgeoisie who were eager to join the ranks of the old upper class: on the other hand, a group of instinctive political reformers, original geniuses like Samuel Adams, Henry, and Jefferson; a crowd of eager spirits who had been fed upon the idea that the Revolution was to usher in a new period of general happiness; the vast, restless mass of the poor upon whom had fallen the heaviest burden of the war economically, with inevitable high prices and the inevitable necessity to borrow from the opposite group.

One cannot understand the time if one is not able to sympathize with both groups. It should be easy to do so when one reflects that they are typified by two of the best and ablest of Americans, by George Washington and Thomas Jefferson.

(7) The Revolutionary Hope

At the end of the Revolutionary period it was still the latter group—the true revolutionaries that were mainly in view. It was out of these that the triumphant radicals had built up the clientele which in most of the states had been arrayed behind the new governments.

It is well, in passing to the next stage of development, to pause upon some particular figure that sums up the rash aspirations of this clientele and also forecasts its career in the inevitable struggle that is before it. A great genius like Jefferson is too individual, too isolated morally and mentally, for the purpose. Perhaps as good an illustration as can be found is one whose later course has fixed upon him no little opprobrium but who none the less serves our purpose. Philip Freneau has been called the poet of the Revolution. As to his literary quality one is free to hold what opinion one pleases. But there is no question about the sincerity of his passionate conviction that the Revolution was the work of Providence to upraise the poor man in America. To his excited imagination, there

was dawning a new era of universal opportunity, universal goodwill, in which general happiness was to bring back the Golden Age. Only by taking Freneau seriously and realizing that thousands of others felt as he did, can we appreciate the fierce idealism that blended with new social and economic hope in the fluctuating human currents eddying toward the west, and that were demanding of the new régime universal happiness.

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Shaping the Republic

1783-1800

BASIS OF CHAPTERS XII-XVII

The government of the new confederation called the United States was so loosely knit and possessed so little real power that the states were virtually independent. The Congress of the confederation could do no more than advise the states, with one exception. The treaty of peace had given the United States a vast area of unoccupied land which the states made over to Congress. The Ordinance of 1787 was the beginning of Congressional legislation over the "territories" of the Union.

But Congress failed to draw the states into general commercial treaties. International business came to a standstill; there was enormous unemployment; most people ran into debt; and a social war between debtors and creditors seemed not impossible. The insurrection known as Shays's Rebellion was a threat of worse things to come.

In the hope of working out some new arrangement which would bring prosperity to America, the Congress called together the constitutional convention of 1787. After long, and sometimes furious debate, the present Constitution of the United States was adopted. Among its many provisions several were designed to preserve the traditional rights for which the Americans had fought in the Revolution; others were designed to meet the crises of the moment. Among the latter was the power to make binding commercial treaties and to regulate the currency. The Constitution was not adopted without a political battle. The radicals thought they saw in it the influence of the moneyed class. But the "Anti-federalists" who opposed the new system lost their fight. The Constitution became the law of the land.

Washington, inaugurated in 1789, had to deal with a great number of problems, some minor, some of great consequence. Among the latter, four are conspicuous. (1) He accepted the advice of Alexander Hamilton, Secretary of the Treasury, and rejected the advice of Thomas Jefferson, Secretary of State, with regard to the implications of the Constitution. On the theory that there were "implied powers" not expressed in the Constitution, he supported a monetary policy devised by Hamilton which included the establishment of a national bank. (2) He defied the radicals by refusing to take part with the new-born French Republic. (3) He gave them further offense by his strenuous efforts to secure a commercial treaty with England; the result was Jay's treaty of 1795, not wholly satisfactory to any one. (4) He finally accepted the position of a party leader. Previously his purpose was to act as Chief Magistrate above all parties. Gradually, his personal adherents drew together in the Federalist party, his enemies in the Republican party. One of his last public acts was virtual acceptance of Federalist leadership.

The Federalists were the backbone of a new upper class in which the land-holders of the old régime and capitalists produced by the new régime were closely allied. The chief leader of the social coalition was Hamilton. Under their guidance foreign trade, especially the China trade, became of first importance in the American economic system. Opposed to them, in the Republican party, were all those radical elements which had regarded the Constitution as an instrument of the rich. They comprised the poor, the debtors, the frontiersmen, the working men. They demanded political equality, and denounced the trading policy of the Federalists. Their leader was Jefferson. A political battle between these parties was brewing throughout the administration of John Adams, 1797-1801. It was delayed by a naval war provoked by the insolence of the French Republic under the rule of the Directory. Meanwhile, in the "Virginia and Kentucky Resolutions" the Republicans drew up an indictment of what they regarded as the excessive use of power by the Federal government. In the elections of 1800 the Federalists were swept out of office and the Republicans took the reins of government.

Chronology:

- 1783. Washington persuades army to disband.
- 1784. Radical communities forming along western frontier.
States refuse to give Congress control over commerce.
- 1785. Western land for sale in large blocks.
Mount Vernon conference on western transportation.
- 1786. Congressional money worthless.
Stay and tender laws.
Shays's Rebellion.
- 1787. Ordinance provides for northwestern states without slavery.
Constitutional convention.
- 1788. Constitution adopted by nine states.
- 1789. Washington inaugurated first President.
- 1790. Constitutional amendments form a national Bill of Rights.
State debts assumed by Federal government.
Capital fixed on the Potomac.
- 1791. Bank of the United States established.
- 1792. Republican party formed around Jefferson.
Federalist party formed around Hamilton.
- 1793. Washington's proclamation of neutrality.
The episode of Genet.
Jefferson withdraws from the Cabinet.
- 1794. The Whiskey Rebellion.
- 1795. Jay's treaty with England.
Pinckney's treaty with Spain.
Washington reorganizes cabinet including only Federalists.
- 1796. John Adams elected President.
X Y Z Affair.
- 1798-1799. Naval war with France.
- 1798. Alien and Sedition Acts.
- 1798-1799. Virginia and Kentucky Resolutions.
- 1800. Jefferson elected President.

CHAPTER XII

GOVERNMENT BY UNANIMITY

(1) Finances of the Congress

ONE did not need to be a prophet in 1783 to see that unless the extravagant hopes of the revolutionaries were approximately gratified the new régime had trouble ahead. Prosperity must be quickly established. Whether this could be done depended largely upon the success of the new Congress in solving the problems that circumstance forced upon it. Four of these were imperative: (1) The payment of the army; (2) the payment of the war debt; (3) the restoration of trade; and (4) the disposition of the western land.

Having no power under the Articles to levy taxes, Congress began begging for this power the very year the Articles were adopted. It asked the states to add an amendment to the Articles permitting Congress to lay a duty of but five per cent on imports. All the states agreed except Rhode Island and Virginia. As the Articles were an experiment in government by unanimity the amendment was lost.

The army at this time was in a dangerous mood. Congress felt constrained to make a second attempt to attain financial independence. It asked for an amendment giving it the power to levy duties on specified articles for twenty-five years, with the further limitation that the funds thus collected were to be used in discharge of the debts of the Confederation. Virginia had changed her mind and agreed to the amendment. So did North Carolina. But the opposition of New York, Rhode Island, Maryland and Georgia secured its rejection.

The causes of this jealousy of the Congress form an obscure subject not easy to grasp in its entirety,¹ but two or three of the causes are plain. For one thing the quick suspiciousness of the radicals everywhere discovered a class sympathy in the attitude of Congress toward the army. No doubt many of the members of Congress unconsciously made a social distinction between the offi-

¹ Professor Bassett shows his usual acumen in stressing the urgent need of far more thorough study of the Confederation than has yet been given to it. The complex balance of feeling in each state upon every financial and social question, the causes and the fluctuations of these balances, are in many cases merely approximated by our present knowledge.

cers of the army and the men. The great radical politicians had recognized the states as the true theatres for their activity, took little part in the work of Congress, and had not secured a considerable representation there of the more extreme wing of the revolutionary party. Congress gave offense to the crowd by promising half pay to army officers for life. To the new radicalism this seemed a concession to the aristocratic ideal. Joined with this was the watchful fear of purely military influence which all the radical politicians were quick to encourage. The men of the army were clamorous for back pay. It was rumored that the officers encouraged them in their demands, for ulterior reasons. The bogey of a military dictator was conjured up by the excited suspicions of those democrats who were not in the army.

Another cause of the popular distrust was given by the holders of Continental bonds. Congress had sold bonds at home to the amount of \$28,353,832. With great difficulty it paid interest on these bonds until March, 1782, using for this purpose part of the money borrowed abroad. In the course of the war, as money became scarce, speculators, chiefly in the trading states, bought up these bonds at bargain prices. These speculators were eager backers of every plan to give Congress financial independence. They intrigued rashly in the army. Apparently a coalition of speculators and army officers devised some plan to influence Congress. The coalition was broken up in the summer of 1783 only by the sudden and uncompromising interference of Washington. His personal influence was sufficient to induce the army to drop its claims and disband, as he put it, "without a farthing in their pockets."

The restless suspiciousness of the radicals may be measured by the storm of denunciation aroused by a movement among army officers that appears to have had in fact no political significance. They formed the Society of the Cincinnati. Membership was to be inherited by their sons upon the principle of primogeniture. When this was known radical sentiment went wild. Even men like John Adams, who had ceased to be radicals and were taking their places in a new conservative alignment, thought that the Cincinnati promised a movement back toward monarchy on a military basis. With the public mind so rashly distrustful, no constructive measures for increasing the power of government could prevail.

The upshot of all this was the relative powerlessness of Congress to discharge its debts. The states contributed to its exchequer irregularly and in such small sums that it fell steadily deeper and deeper in debt. The requisitions made by Congress during the Confederation amounted to \$10,000,000; the sums granted by the states only to \$1,500,000. Though further loans were placed in Europe, the proceeds were mainly absorbed in paying interest on the bonds owned abroad. Very early in the period of the Confederation Congress was threatened with bankruptcy.

(2) Land Policy of Congress

This fact had an effect in determining its course with regard to the western land and, incidentally, in causing it again to go counter to radical sentiment. All those poor people of the east who were counting on universal happiness under the new régime had expected, doubtless, that the unoccupied land would be given away. So far as the army was concerned this was done—if granting land in lieu of back pay may be thus described. But for the non-military part of the population a different policy was adopted. In its desperate need of money Congress decided to treat the west as the property of the Confederation and dispose of it by sale.

When the matter was taken up (1784) the promises of the states to part with the land beyond the mountains (page 238) had not been fully carried out. An ordinance proposed by Jefferson (1784) laid out a tentative plan for dividing the west into new states as soon as the transfer should be completed.¹ The next year the Land Ordinance of 1785 instituted the policy of disposing of western lands by sale. This was to be accomplished ordinarily by public auction, the minimum price to be one dollar an acre, and the lots sold to include 640 acres or more. In other words no one could buy public land direct from the government unless he had \$640 in cash. For the vast majority of Americans at that moment this was an impossibility. Therefore the men whose souls were in Freneau's poetry must either stay where they were or buy western land through some one else who bought of the government. The Crown in the

¹ As the Ordinance was tentative it was disregarded in later legislation. It has dramatic significance for after history because a provision prohibiting slavery west of the mountains north and south after 1800 was lost by one vote.

old days had not in point of fact made things as hard as this. Even when the Proclamation of 1763 was theoretically in effect, the squatters streamed westward and took what they wanted (page



THE LAND CLAIMS OF THE THIRTEEN STATES

192). To members of Freneau's group who had supposed that the end of the rainbow was at last securely located just across the ranges to the west, the Land Ordinance of 1785 was notification that the end of the rainbow was a delusion.¹

In 1786 the various states having claims north of the Ohio had

¹The system of surveying government land established by this Ordinance laid the foundation for orderly land titles throughout the west and has remained the government system ever since. East and west base lines were to be run and townships six miles square were to be laid out. In each, one square mile was to be reserved for the support of schools.

completed their cessions to the Congress and thus the west was divided into two main divisions—the definitely Congressional part above the Ohio and the more or less ambiguous part below the Ohio. The Congressional west was organized as the Territory Northwest of the Ohio River by the famous Ordinance of 1787, which established the type of territorial government employed by the United States ever since. Though the territory was to receive a governor appointed by Congress—who was subsequently replaced by a governor appointed by the President—its inhabitants were to select a legislature for the management of purely local affairs. The Ordinance provided for the ultimate division of the territory into not less than three nor more than five states that were to be admitted to the Confederation on equal terms with the old states. Sixty thousand people were to be considered a sufficient number, if fairly close together, to justify their organization as a state. Slavery was excluded from the northwest.¹

Negotiations with the Indians were carried on from Fort Harmar at the mouth of the Muskingum, where an important treaty was signed in 1788. The same year a party of settlers came down the Ohio on a flatboat which they called the *Mayflower*, and settled Marietta just across the Muskingum from Fort Harmar. Before the end of the year Arthur St. Clair was appointed governor of the Northwest Territory, of which Marietta was the first capital.

The village of Marietta was itself evidence of the commercial program of Congress in the west. By agreement with two of the "claimant" states, land titles to large parts of present Ohio were left in their hands, though without any governmental powers. The Western Reserve of Connecticut composed about half of the northeast quarter of the present state. To Virginia was allotted almost all the land between the Scioto River and the Little Miami. It was understood that, in spite of the general policy of selling land by public auction, Congress might be induced to make huge private sales for lump sums. Companies were formed with this end in view. Only two attained their ends: the Symmes Company and the (second) Ohio Company. The former, organized by John Cleves

¹ Southern opposition had prevented the exclusion of slavery from the southwest, but made no objection to its exclusion from the northwest. Sheer opportunism dictated this tacit compromise which so curiously foreshadowed the Compromise of 1820.

Symmes and a syndicate of speculators and ex-soldiers chiefly from New Jersey and Pennsylvania, obtained the long narrow strip between the two Miami Rivers, at the south end of which Cincinnati was speedily founded (1787). More ambitious were the aims of the Ohio Company, formed mainly of New England veterans and engineered by Manasseh Cutler. After difficult lobbying this company attained a large triangle eastward of the Virginia military tract and including the mouth of the Muskingum. It was the vanguard of the members of the Ohio Company that settled Marietta.

(3) *Frontier Radicalism*

This western policy—especially the principle that new states were in time to enjoy equality with the original states—had not prevailed without a struggle. The old hostility of the settled areas toward the frontier areas had threatened to revive on a grand scale in the discussion over the Ordinance of 1787. It was stimulated perhaps by controversies that were then raging in two claimant states which still had land west of the mountains.

That portion of Virginia which lay beyond the mountains and south of the Ohio now contained a considerable population. The Wilderness Trail which Boone laid out (page 194) had already taken its place among the most famous of forest paths. The settlers whom Henderson had tried to make proprietary tenants (page 194) had disregarded both him and Virginia, and applied to Congress to be formed into a state. To avoid giving offense to Virginia, Congress had refused to meet their wishes. This Kentucky region had had its own stirring life of border war during the Revolution and its people were fast acquiring distinct local feeling. They faced Virginia as a whole with the same headstrong sense of self-dependence with which the Virginia back country formerly faced tide-water Virginia.

These adventurous westerners applied with uncompromising logic the idea that governments derive their just powers from the consent of the governed. If that idea applied to Virginia as against the Crown, why not to themselves as against Virginia? Though the parent state had given them a county organization (1777), they felt that real unity across the mountains was becoming impossible. Carrying the theory of consent to its limits, they faced westward, and

their bolder spirits dreamed of a transmontane confederacy of their own.

A similar nest of radicalism had developed in the valleys of eastern Tennessee. The centre of it was Watauga (page 194). Under the lead of James Robertson, daring pioneers, the heroes of King's Mountain, had agreed to the "Watauga Association," consisting of a set of laws for the government of their community (1772). During the war (1777) North Carolina organized their region as the county of Washington. Later Robertson struck off from Watauga and founded Nashville (1779).

Very grimly these lonely settlements held their place against the Cherokees. At the close of the war they decided to form a state of their own. They named it Franklin (1784), chose John Sevier as governor, and applied to Congress for admission to the Union. Again Congress was too timid to interfere. North Carolina compromised with her western settlers and gave them representation in the legislature, with which they were half content until their country was included in the Territory Southwest of the Ohio (Tennessee), a result of the cession of the western claims of both the Carolinas.

Again a radical centre had been established in the west; again the idea of the sacredness of consent in government had become the watchword of a community. A crafty American agent of Spain, James Wilkinson, once a Revolutionary general, was going up and down the southwest sowing discontent and stimulating the idea of a transmontane confederacy of the Mississippi valley. Spain would gladly become the protector of such a confederacy. As all their rivers flowed west and south, as hundreds of miles of wilderness without one road separated them from their political rulers on the coast, why should they not assert their independence, and evoke again the idea that governments derive their just power from the consent of the governed?

Such reasoning had been stimulated almost to fury by the course of Congress in its one serious attempt to deal with the problem of the southwest. The Florida boundary was not yet determined (page 226), nor had Spain agreed to open the Mississippi to the Americans. For the westerners, with no other outlet for their produce, this was a vital issue. Easterners wanted a commercial treaty. Spain sent over her envoy to negotiate a treaty. Diego de Gardoqui

and John Jay, secretary of foreign affairs to the Congress, at length agreed upon a treaty that arranged a commercial policy between the two nations, was silent upon the Florida boundary, and committed the United States not to claim the freedom of the Mississippi during the next twenty-five years. It was rejected by Congress. But when the men of Kentucky and Tennessee heard it had been considered, they were beside themselves with indignation.

From these various causes the westerners were so nearly out of patience with the east that Washington, who was closely observing events, wrote in a private letter: "The Western States¹ (I speak from my own observation) stand as it were upon a pivot, the touch of a feather would turn them either way."

A third radical community had fared better than either of the southwestern ones. The Green Mountains began to receive pioneer settlers from seaboard New England shortly before the outbreak of the Revolution. As we have seen, the settlement of the dangerous regions was one of the phenomena of the war time. This region was claimed both by New York and New Hampshire, but none the less its pioneers assumed that they were empowered to manage their own affairs. The Declaration of Independence was followed by a declaration made by the "Green Mountain Boys." They proclaimed themselves an independent republic named Vermont.

In all this frontier history of the period of the Confederation, two things are chiefly significant: (1) Congress, so far as it had done anything, had disappointed the hopes of the radicals, east and west; (2) the new communities had had to rely upon themselves, and what satisfaction they had got had come from a bold application of the idea of consent as the basis of government.

(4) The Problem of Commerce

Parallel with the unsuccess of eastern influence on the frontier, another series of insistent problems had also culminated in unsuccess. When peace was declared Congress at once addressed itself to the restoration of trade. The Americans still had fishery rights in the North Atlantic (page 226), but they were now to feel the loss of their old position as members of the British Empire.

The ports of the British West Indies were automatically closed

¹ He uses the term with the sense of "communities."

against them by the provisions of the English Navigation Laws. Furthermore, though American ships might trade with the ports of England, they were subject to restrictions to which the British ships were not subject. Certain American products, such as rice and tobacco, now lost the benefits that had been allowed them under the old commercial system, and very soon new impediments were placed in the way of American trade, especially a British duty on whale oil.

The Shelburne ministry had been overthrown, partly because of resentment over the lenient terms of the treaty of peace. When Congress attempted to negotiate a commercial treaty, the succeeding ministry bluntly advanced three reasons for refusing to make one. It accused the United States (1) of not fulfilling its promises to secure to British merchants debts due them in America; (2) of not carrying out the spirit of the treaty with regard to the Tories; and (3) of having no power to guarantee the observance by the separate states of the terms of a treaty.

It could not be denied that on all three points the facts were as the British stated them.

(1) Congress had tried to protect the foreign creditors in the collection of their debts. But all legal actions had to be brought in state courts. The states disregarded the recommendations of Congress and did what they pleased about the pre-war debts. Too often the debts were virtually confiscated.

(2) Still less had the states paid regard to Congress in their treatment of the Tories. The proscription that had been started during the war was continued relentlessly. There was a general determination to harry them out of the country. No less than 60,000 sought safety through removal to British dominions, especially Canada.

(3) The unwillingness of the states to part with any power over their citizens was baldly apparent. In commercial matters they had widely differing interests. To form any commercial policy that could command unanimous support seemed to be impossible.

Nevertheless Congress made a desperate appeal for some measure of control over commerce. It asked for an amendment giving it control of navigation for fifteen years and vesting in it the power to retaliate upon nations that would not make commercial treaties by excluding their products from American ports.

The treatment of this proposal revealed a sectional clash of interests which boded ill for the future. New England was eager for the amendment; the middle states lukewarm; the south opposed. Thus it was apparent that, besides the quarrels between rich and poor and east and west, there was a possible quarrel between north and south. This would really be a quarrel between the agricultural states and the trading states.

On the rejection of the navigation amendment, Congress made one more attempt to solve the commercial problem by sending John Adams to London for the futile purpose of rearguing the case (1785). The British Ministry stood firm and he accomplished nothing.

Some small concessions by France and Spain were all that Congress had to show by way of diplomatic achievement. Both these powers had reverted in 1783 to their pre-war policy of relatively closed ports. They now permitted the Americans to trade with their West Indian colonies. Denmark did the same.

(5) Debtors and Creditors

Though Congress had failed in its commercial policy, and though the various states seemed quite willing to cut one another's throats—as in setting up tariffs against the products of neighboring states, illustrated by a tariff war between New York and New Jersey—private enterprise did a great deal toward restoring prosperity to certain classes. The China trade was begun. American banking dates from the creation of the Bank of North America in 1781. Money-lenders thrived. Those who had made money in the war bought luxuries freely, and before the end of the Confederation period importers of European goods did extensive business.

But this new prosperity was very limited in its scope. The first and most widespread effect of the resumption of foreign trade was a depression among the artisan classes. During the war, while the supply of European goods was shut off, America had developed manufacturers. They were carried on for the most part in the old domestic system—that is, there was no organization of industry, a host of producers worked singly, each man and his family by themselves. In this way, in 1783, there were home-made supplies of woollen, linen, and cotton cloth; a few factories produced paper,

gunpowder, rifles, cannon, and various sorts of simple machinery. With the return of foreign trade, and the influx of cheaper goods, all these isolated producers lost their market, and a large part if not all of their means of support. Here, for them, was an end of the gospel of universal happiness under the new régime.

Another effect of foreign trade was the draining of specie out of the country. A considerable amount had come in through the European loans, and had gradually found its way into the hands of the wealthier classes. That frame of mind which we now call the "after-war psychology" had made its appearance, and the holders of money were spending lavishly. Because of their addiction to foreign luxuries, specie flowed rapidly back to Europe. Consequently money became scarce; prices rose; money-lenders became more exacting; and debtors found it difficult to meet their obligations.

Thus by degrees all the discontent of the poorer classes, the people who had thought the rainbow's end was a reality, centred upon the question of the currency. Both the Congress and the states had made a pretty bad mess of it. We have seen how rashly the Congress had issued paper money that was mere promise to pay if it could, and that rapidly lost its value. The person who paid out such money on loan naturally had an interest in keeping up its value. Hence there was soon an ebb and flow in popular sentiment on the redemption of Continental money. The creditor classes wished to see its value preserved, while the debtor classes did not.

There was a still more serious controversy over the laws defining legal tender. The money-lenders had paid out on loans large quantities of specie. Were they to be allowed to demand specie in return, or were they to be compelled by law to accept paper that at best was of but doubtful value? Upon this issue the creditor classes and the debtor classes went to the polls in every state in a furious contention. The debtors demanded "stay" laws which would enable them to defer payment, and "tender" laws which made the offer of paper money a legal release from debt. Extreme demands were made and the creditor classes heard with amazement, for the first time in America, the philosophy of the right to private property boldly challenged. The debtors gave voice to ideas which today would be labelled socialistic.

There resulted in every state a new fluctuation of parties, new

groupings of radicals and conservatives. In Connecticut, Massachusetts, Delaware, Maryland, and Virginia, the radicals were defeated, and the moderate conservatives got control of the government. In some states no definite action was taken, and it was impossible to say what tendencies were the strongest. The great influence of New York was thrown on the radical side.

In Rhode Island the radicals were sweepingly successful, with the result that merchants began closing their shops rather than do business by means of a fictitious state currency. A butcher, John Weeden, brought the issue into court by refusing to accept paper money. Thereupon the judges boldly assumed the old functions of the Privy Council, brought the law creating the currency under review, and pronounced it unconstitutional. A hubbub of popular indignation caused the retirement of the most of the judges at the next election.¹

The division between the two new parties was nowhere more sharp than in Massachusetts. Thanks to new trade that had sprung up with China, no group of Americans was more prosperous than the Massachusetts merchants. None had more vital interest in the restoration of credit and a stable currency. Their prosperity was shared by a large proportion of the voters of the eastern part of the state. An alliance of merchants, their commercial dependants, and all others who had stable financial positions and were afraid of change, had given the control of the state government to this budding party of the financial and business conservatives.

On the other hand, the artisan class still had their grievances against the capitalistic class. The farmers generally, and especially in western Massachusetts, were deeply in debt. The high prices of manufactured articles had cut down the purchasing power of farm produce. Interest on mortgages, with which numerous farms were encumbered, was a load the farmer was scarcely able to carry—if at all. With ruin staring them in the face, these trustful people, who had been promised universal happiness under the new régime, took the natural resort of such people—insurrection. A Revolutionary veteran, Daniel Shays, became their leader. Their immedi-

¹ This success of the "know ye" party—as the popular faction was called, because the currency certificates contained that phrase—is a curious foreshadowing of Seward's threat seventy years later with regard to the Supreme Court of the United States. See Vol. II, ch. II, or one-volume edition, ch. XXXI.

ate purpose was to break up the courts in which actions for debt were prosecuted. At Northampton and Worcester this was done. Daniel Shays led a ragged army to Springfield. By this time the conservative elements were fully aroused. Governor Bowdoin sent an army of militia to meet the insurgents, who retreated to Petersham and there fought the first "battle"—if so it may be called—fought by Americans against a government supposed to represent "the People." They were routed, Shays fled the state, and the insurrection melted away.

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THE LAND PROBLEM.—This must not be narrowed to mere cessions of territory claimed by states, nor to legislation with regard to the future. Its most important aspect is social, the rising opposition of the landless man to the landed man. It had begun previous to the Revolution, when squatters beyond the mountains set absentee land holders at defiance. Washington's connection with the problem is typical. See Hughes, *Washington*, II, chs. IX-XII, or Stephenson, *Washington*, I, ch. XI, for glimpses of this pre-revolutionary situation; and his own *Diary*, September, 1884, for his dealings with squatters after the Revolution; a valuable study is Hulbert, A. B., *Washington and the West*; the subject runs through his letters of the Confederation period. More general aspects of the problem, including the establishment of a federal system of land surveys, are in Alvord, C. W., *The Illinois Country*; The Beards' *American Civilization*, I, ch. XI; Barrett, J. A., *Evolution of the Ordinance of 1787*; Bond, B. W. (editor), *Correspondence of John Cleves Symmes*; Channing, *United States*, III, chs. XVII, XVIII; Gabriel, R. G., *The Lure of the Frontier*, chs. I-V; Hinsdale, B. A., *The Old Northwest*; Ogg, F. A., *The Old Northwest*; Paxson, F. L., *History of the American Frontier*, chs. V-VIII; Schuyler, R. S., *Working Towards a National Domain* (Political Science Quarterly, XXVIII, 496); Thwaites, R. G., *Daniel Boone*; Treat, P. J., *The National Land System*, chs. I-III; Winsor, J., *The Western Movement*, chs. XXII, XXIII.

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CHAPTER XIII

COUNTER-REVOLUTION

(1) Background of the Constitutional Convention

WASHINGTON had watched the progressive chaos in American affairs with intense anxiety. He combined in his point of view two considerations, both of which were seldom comprehended at their full value by any one American of that day. These were the importance of foreign relations and the importance of the west. In addition he had a large understanding of life and of the conditions that made strong government possible. Throughout the Confederation period he was in constant correspondence with many leaders of thought widely scattered. We have heard his comment on the crisis in the west. His letters ring the changes on two ideas—the need of stability in government, the necessity for government to answer to the hopes of the mass of its citizens. Though always a believer in the firm hand when necessary, he had no delusion that the firm hand could rule alone. A government, if it is to endure, must combine in its support such apparently contradictory factors as gentleness and relentlessness, idealism and self-interest.

Washington had invested in western lands and in the autumn of 1784 made a journey to the Virginia frontier. In the course of the journey he visited Bath, Maryland, and there witnessed a test of a model boat equipped by James Rumsey with a steam-engine as a means of propulsion. Washington felt that Rumsey's "discovery is of first importance; may be of greatest usefulness in our inland navigation."

Even before this Washington had taken interest in a project for uniting the Potomac and Ohio Rivers by a canal. The agitation over the Mississippi was at its height, the discontent of the westerners denied an outlet to the sea very menacing (page 252). Rumsey's invention strengthened Washington's conviction that the proposed canal might serve as an artificial Mississippi cutting the

mountains, might solve the problem of uniting the west to the east and allaying the western discontent, even if Spain made no concessions. The Potomac Navigation Company, formed by the co-operation of the legislatures of Virginia and Maryland, made Washington its president. Maryland issued a patent to Rumsey. Nothing came of this. Rumsey died before perfecting his invention. The Potomac Company encountered engineering difficulties greater than had been foreseen and in time abandoned its original plan. But meanwhile a problem of interstate commerce had developed. If the canal was to be a success some plan of uniform jurisdiction over the Potomac agreeable both to Maryland and Virginia would have to be devised. As Pennsylvania controlled the forks of the Ohio, that state also would have to be brought into the agreement. The subject was discussed with no results by commissioners of Maryland and Virginia that met at Mount Vernon in the spring of 1785—the year of the breakdown of the Mississippi negotiation (page 252). Out of this conference grew a more extensive one which was suggested by Virginia and met at Annapolis (September, 1786). Its aim was to bring about some sort of general understanding upon commercial relations throughout the confederation. The proposed amendment giving Congress control over navigation (page 254) had recently, after long discussion, been finally abandoned. The rivalries and jealousies of the states—such as the tariff war between New York and New Jersey (page 254)—should be brought to a close if the western canal scheme was to produce any general benefit.

The attendance at the Annapolis Convention was so scant that no action it might take would have significance. Therefore the convention contented itself by issuing an address to the States urging them to send delegates to a general convention to be held at Philadelphia the following May for the purpose of discussing the general condition of the country and amending the Articles of Confederation.

In the troubled winter of 1786–87, when so many threatening events were taking place, each state had to decide what it would do about this call. Eventually every state except Rhode Island—the incorrigibly radical state—named delegates to the convention.

That troubled winter will not be given due weight in accounting for the counter-revolution—as the movement that produced the Constitution may justly be called—unless the various trains of in-

terwoven events reviewed in the previous chapter are reconsidered chronologically. When that is done, when we have in mind a comprehensive picture of the tangle of incomplete measures, of unsolved problems, of contradictory tendencies, which were all in their last stages that winter, and when over all this confusion is spread the dangerous light of Shays's Rebellion, it will not seem strange that all the conservative forces were at their peak in the early months of 1787. The situation had become so acute that the waverers everywhere were taking sides with whatever faction appeared to have greatest stability.

Thus it happened that, in most cases, the delegates sent to the convention were men of conservative tendencies, or at least men who for one reason or another were in reaction against the conditions of the moment. In some, it is true, this reaction proved to be temporary. Elbridge Gerry of Massachusetts was loud in his assertion that the trouble with the time was too much democracy. Later he became a thoroughly converted democrat. He and his associates in the Massachusetts delegation, in 1787, illustrated also the complicated criss-cross of motives that animated the counter-revolution. For all his outcry against democracy Gerry would not endorse the particular scheme of government which the aristocratic majority in the convention drew up, to which all the rest of the Massachusetts delegation put their approving signatures.

This Massachusetts delegation was chosen by the same legislature that passed severe measures for dealing with Shays's Rebellion. That the call for a convention came just in the nick of time—from the conservative point of view—may be seen from one fact. Only about a quarter of this legislature was returned at the next election. The succeeding legislature was overwhelmingly radical. Governor Bowdoin, who had suppressed the rebellion and signed the credentials of the delegates to the convention, was sweepingly defeated. John Hancock, now posing as the champion of the masses, rode into power. But before that turn of the tide Massachusetts had named a delegation strongly reactionary.¹

¹ "The delegates from the Eastward are for a very strong government and wish to prostrate all ye state legislatures and make a general system out of ye whole, but I don't learn that the people are with them; on the contrary in Massachusetts they think the government too strong and are about rebelling again for the purpose of making it more democratical."—William Grayson to James Monroe, May 29, 1787.

Among the more influential states only one was held in line by the radicals during the winter of 1786-87. In New York the party of the populace, the party that favored paper money, had found a great organizer and leader in George Clinton. This party was composed mainly of farmers and artisans, including hosts of debtors, and was opposed to all sorts of legislation that favored merchants and creditors. The latter, organized by the old aristocracy of the province, based their strength on New York City. They had found a leader in a brilliant young foreigner, Alexander Hamilton. A tacit compromise between the two factions put Hamilton on the delegation to the convention, but added two members of the popular party, thus making his vote of no avail. Near the close of the session his associates, Robert Yates and John Lansing, withdrew from the convention and the New York delegation officially ceased to exist. When Hamilton signed the Constitution he did so, by courtesy of the convention, merely as an individual.

The radicals generally were suspicious of the whole movement. This went so far that Patrick Henry, still a determined radical, refused to serve on the Virginia delegation. But the occasion revealed the high attainments of a Virginian not hitherto conspicuous, James Madison. A very able Virginian delegate was George Mason. In Washington Virginia gave the convention its presiding officer.

Undoubtedly the "Great Convention" has had too extravagant praise. None the less, its level of ability was extraordinarily high. To the names already mentioned must be added such great ones as Franklin, Dickinson, James Wilson, Robert and Gouverneur Morris, Roger Sherman, Oliver Ellsworth, James Patterson, Luther Martin, John Rutledge, Charles Cotesworth Pinckney, and Charles Pinckney. Scarcely one of its members was mediocre.

(2) Calendar of the Convention

The convention assembled May 25, and sat in secret session until September 17. It voted entirely by states. From the start it discarded all thought of an obligation merely to amend the Articles and plunged into the task of devising a new form of government for the Confederation as a whole. Its early discussion took the form of amendments to a general scheme submitted by the Virginians and generally known as "the Virginia plan." A bitter division between

large and small states produced the "Great Compromise" July 16. On July 17 a crisis was reached. The delegates from the large states met in conference to consider bolting. Their decision to remain and accept the compromise of the previous day was a turning-point. Debate was resumed, and on July 26 a series of resolutions was handed over to a Committee of Detail with instructions to draw up a formal draft of a constitution. This committee had before it, besides the Virginia plan and all its varied amendments, a plan proposed by Charles Pinckney, another suggested by the New Jersey delegation in the heat of the battle between large and small states (page 267), and a miscellany of minor suggestions. The committee was supposed to have fairly definite instructions as to what on the whole the convention wanted. Nevertheless, when it reported August 6, various features of the draft-constitution contained in its report were at once challenged. Another lively debate ensued. The central feature was a battle royal over the regulation of commerce including the slave trade. Interests that appeared at first to be irreconcilable were at length quieted in what is known as the navigation compromise. After much more pulling and hauling the draft-constitution, severely amended, was turned over, September 10, to a Committee of Style. Three days later a new draft-constitution was laid before the convention. It was carefully examined and a few minor changes were made. On the seventeenth it was signed by thirty-six delegates. Nineteen had either withdrawn or refused to sign.

A good way to grasp what the convention really did is to group its thinking under three heads—its general ideas, its reactions to current issues, its views upon the mechanics of government.

(3) General Ideas of the Convention

A clew to the general ideas that pervaded the convention may be found in some remarks of Dickinson. "Experience must be our only guide. Reason may mislead us. It was not reason that discovered the singular and admirable mechanism of the English constitution . . . accidents probably produced these discoveries [worked out in the English system] and experience has given a sanction to them. . . . Shall we oppose to this long experience the short experi-

ence of eleven years [in the Confederation] which we ourselves had on this subject?"

It was in this spirit that the convention went to work. Every one present had in the back of his head the ideas of Locke which had become so nearly common property in America that many people had forgotten whence they came and no longer distinguished them from their own ideas. The long controversy with the Crown was also, in varying degree, part of each man's mental furniture. It was interpreted, naturally, in different ways, and probably any half-dozen delegates would have differed among themselves as to just what had been established as sound political doctrine by the experience of those "eleven years," plus a few more, mentioned by Dickinson.¹

One great treatise on applied law—in distinction from writings such as Locke's on the philosophy of law—Americans generally had accepted and assimilated. This was *The Spirit of Laws*, by Montesquieu, who had formulated his impression of the English constitution in a way that fitted neatly into the experience of the Americans. His theory of the tripartite state—executive, legislative, and judiciary, each factor independent of the others, and all balanced against each other so as to keep the whole in an equilibrium of liberty—described accurately enough England as it used to be, and as it was reflected in the colonial system which was all that the Americans knew at first hand. This conception was older than Blackstone's theory of a state in which the legislature is supreme (pages 183-184), the theory which the Americans had refused to accept. The tripartite theory also ignored the fact that even then, in England, the ministry, controlled by the legislature, was supplanting the independent executive. The thinking of Montesquieu helped the delegates both in solving, to their own satisfaction, the problems of governmental mechanics, and in expanding their inherited experience into a large general system of federal administration, but it tied them up to old ideas that even then had lost their hold abroad.

Through the interplay of the "long experience," the pressure of recent events, and their theories of government, the convention

¹ It was once the fashion in accounting for the Constitution to lay great stress upon a pamphlet by Pelatiah Webster which dates back to 1783. It is now questioned whether the pamphlet had any influence at all. In historical interpretation, as in art—to quote Browning's famous line—"We know how fashions end."

reached almost immediately a general understanding which in some respects was its most vital achievement. We must remember that every one present had witnessed both the overthrow of the old system of double allegiance to Crown and to colony (page 235), with its consequent duality in the civil service, royal and colonial (page 237), and had also witnessed the confusions that had resulted from the substitution of a single allegiance and a single civil service (page 253). As we have seen, the double system was the unique thing in American life and had been "discovered" precisely as Dickinson had indicated, not of set purpose but through the accident of circumstance, and had been "given a sanction" by experience. The sense of this sort of thing as a working system of government had been growing in the Americans during a hundred and fifty years. Recently, the confusions of the time appear to have acted as confusion so often acts, and to have brought to the surface of men's minds their convictions of longest standing. Practically without dissent the convention took for granted at the start that, if any form of a general government was to prove effective, it must involve the restitution of this most distinctive feature of traditional American experience; there must be a revival of the double allegiance expressed through a duality of civil services—federal and state allegiance, now replacing royal and colonial allegiance. This idea formed the general understanding which underlay all the work of the convention. Just as, in the old days, both the Crown and the colony, each in its own way, had jurisdiction over every individual in a colony, so now should the general government and the state government have concurrent jurisdiction over every individual in the state.

By accepting this general understanding the convention undid that abolition of the double allegiance which had been effected by the events of 1776-77. It struck back to the days of the First Continental Congress and restored the continuity of our institutions. With this general understanding in mind, it was the most natural thing in the world to assume that the main features of the old imperial system were to come back but to be hedged about so as to transfer the ultimate control from the Crown to "the People," so as to give the resulting institutions a republican instead of a monarchical character. This was a triumph for the original moderate

revolutionary movement, with republicanism now accepted as its political creed and duly warned that the radical developments since 1776 could be disarmed only by some scheme of government which all but the extreme radicals could be induced to accept.

It was also taken for granted that the convention was going to draw up a system of fundamental law. The new constitution was to be unchangeable by any legislature; it was to stand for the ultimate law-making power—whatever that might be—and only by the act of that power was it to be changed. Every one agreed that this ultimate power was “the People”—as distinguished from a monarch—but as to just what they meant when they said “the People” they were quite unable to agree. Neither could they agree as to whether this vague “People” that was at the back of everything was a “nation” free to disregard the states in expressing its will, or thirteen different “sovereignties” that could not override the reserved rights of any one of the thirteen.

The convention found it easy to declare that “this constitution and the laws of the United States which shall be made in pursuance thereof . . . shall be the supreme law of the land.” In so doing it but reiterated that idea of fundamental law which reached back to the old charters of the seventeenth century and had underlain all the protests against the new-fangled idea of the omnipotence of Parliament.

After much debate upon the character of the ultimate law-making power the convention gave up the attempt to come to an agreement as to what it really was. The original Virginia plan described the new government as “national.” This definition was eventually struck out but no other was substituted. The convention contented itself with merely describing the mode by which the fundamental law could be changed. This could be done only by consent of three-fourths of the states. One provision went even farther in securing the integrity of the states. It was expressly provided that “no state without its own consent shall be deprived of its equal suffrage in the Senate.”

(4) Reactions to Current Issues

No part of the convention's work is more illuminating than the deliberate attempt to solve the problems of the hour. None of these

was quite as insistent as the problem that had underlain all the squabbles over balancing the power of the states and of the general government in the Confederation. Conservative states had been afraid to arm the Congress with a power that might upset their institutions, should a majority of the states be captured by the radicals. Radical states reached the same conclusion by the opposite train of reasoning. But an impotent Congress had demonstrated its worthlessness. The Virginia plan boldly proposed a "national" legislature of two houses, the "lower" to be elected by direct vote of the people, each state to have a number of representatives in proportion to its importance; the "upper" to be chosen by the lower. Most of the large states were satisfied with this plan. The small ones at once took fright, demanding equal representation for all states. They combined among themselves and for a moment it seemed as if the general understanding might be abolished, the restoration of double allegiance defeated, and a merely confederate government reaffirmed. The argument of the small states was that with equal representation their interests would be sufficiently safeguarded for them to risk the general understanding and accept a government that would act directly on individuals, not on states.

In the heat of debate each side threatened to withdraw and set up a confederation of its own. Ellsworth appears to have started the movement that eventually quieted the storm and prevented the convention from breaking up. The Great Compromise of July 16 provided proportional legislation for the House of Representatives, while equal representation of states was made the rule for the Senate, and each house was given a veto upon the acts of the other. Direct taxes laid by Congress were to be apportioned among the states in the same manner as was representation in the Lower House. The final vote on the Great Compromise stood five to four—Connecticut, New Jersey, Delaware, Maryland, and North Carolina, for; Pennsylvania, Virginia, South Carolina, and Georgia against—with Massachusetts divided—New York not voting and two states not represented.¹ The next day occurred the conference of delegates from the large states when a bolt was narrowly avoided.

In order to effect the Great Compromise it had been necessary to

¹ Yates and Lansing had left shortly before, thus destroying officially the New York delegation. The New Hampshire delegates did not arrive until July 23. Rhode Island was also absent.

decide how representation was to be apportioned. Population was assumed as the basis of calculation, partly because of the belief that "the People," in some limited sense, should be the final source of power, but quite as much because of the other belief that wealth as such was entitled to be taken into account in determining a state's importance and that population was a rough measure of wealth. The conservatives of that day made a distinction between the political rights of property and the political rights of men not easy for this day to understand. Only the radicals, who were so slightly represented in the convention, held our modern view that representation should be based altogether on persons and not on things. Therefore the majority of the delegates were not deeply troubled when the southern members objected to a proposal to ignore slaves in counting population for the apportionment of representation. After a little sharpness of debate, which revealed that already there were slumbering sectional jealousies, the northern members agreed to what has sometimes been called the three-fifths compromise permitting the count of the free population to be augmented in any slave-holding state by three-fifths of the number of slaves in the state.

It was with the understanding that this would be the mode of apportioning representatives for the Lower House that the Great Compromise was agreed to. Had the convention been dominated by radicals it would have undoubtedly passed on to define the franchise. This burning issue had played such a great part in the states. But if the convention had attempted to do so, what a hornet's nest would have been stirred up in every state where the dominant faction did not at the moment entirely agree! An astute move was in leaving all this to the states, providing merely that voters for representatives "in each state shall have the qualifications required for electors of the most numerous branch of the State Legislature."

The difficult problem of maintenance of the general government was met by giving it power to lay taxes both direct and indirect, the former to be apportioned among the states in the ratio of population. Thus the whole system of requisitions was swept aside. The very principle which in the Stamp Act and the Townshend duties had shaken the empire to pieces was re-established as a cardinal feature of the new system. In this the states broke with their own

traditions as colonies. But now the practice was safeguarded by being lodged in a representative legislature created by the states and by the people.

Always behind all the debates lurked the consciousness that a ruthless new temper was abroad in the land. It had showed its hand in the proscription of the Tories, and in the radical programs that culminated in Shays's Rebellion. In the eyes of the tidewater conservatives, who were so well represented in the convention, it was identified with the back country, with the frontier, with the west. They knew that the most adventurous radicals were setting their faces westward. What would happen if great radical states arose beyond the mountains? Might they not in time control Congress and do what they pleased with eastern interests? We are to see this fear develop and come near to creating, seventeen years later, another revolution. In the convention it found heated expression. An attempt was made to divide the map into the old and the new country and limit forever the representation of the new country so that it should never get power into its own hands and "ruin the Atlantic interests." On the other hand, Wilson bluntly evoked the grim idea that whoever was strongest had the right to rule. The champions of the west wanted a pledge that new states should come in "on the same terms with the original states." As a sort of tacit compromise, the matter was left to the future in the vague provision "new states may be admitted by the Congress into this Union."

Kindred to this fear of the prospective new states was the fear that radical majorities might capture the old states. Two provisions aimed with astonishing boldness to curtail the possible results of such an event. Remembering the popular demand for irredeemable paper money, the convention had the audacity to set the populace at defiance. It was provided that in the new régime which the convention proposed to establish no state should coin money or "make anything but gold and silver coin a tender in payment of debts." What a slap in the face for the advocates of state laws that should legislate debts out of existence!

Not content with this blow at the extreme radicals, the convention went a step farther. Hereafter, if this Constitution went into effect, no state should pass any "law impairing the obligation of contracts."

Among the general functions of the new government three reflected the contentions of the hour. (1) Congress was to have complete control of the territories of the United States. (2) It was also to have complete control of foreign affairs. The treaties negotiated by it were to be part of the "supreme law of the land" and binding upon every citizen. (3) Congress was also to have complete control over interstate commerce. By a sweeping provision the states were deprived of all those powers that made possible, for example, the tariff war between New York and New Jersey.

It was in working out the restrictions upon commerce that the chief controversy of the second period of the convention had its origin. The Committee of Detail inserted in its draft-constitution the provision that Navigation Acts must have a two-thirds vote of both houses of Congress. The committee did this in deference to its southern members who were afraid that New England might persuade a mere majority of Congress to legislate in favor of American shipping and thus raise the cost of exportation. The cotton growers and rice growers of the states below Virginia wanted to export their products at the lowest possible cost.

The debate on this subject brought out the latent sectionalism that even then was seen to be almost ready to precipitate itself into political issues. A second time it was plainly hinted that the whole effort of the convention might go to wreck. The lower south threatened to break away from the rest of the Confederation and form a new country by itself. Was any compromise possible?

Perhaps not, but it was soon found that a bargain was. The lower south made another economic demand which ran counter to one of the desires of the Virginians. A philosophical anti-slavery movement was strong in Virginia and particularly a movement to abolish the slave trade. The lower south insisted that its labor supply was insufficient; it must have more slaves. Its two desires, cheap rates of export and bountiful labor supply, formed a basis for a bargain with the northeast. New England combined with the lower south to extend the free importation of slaves until 1808 and in return for this support the lower south withdrew its opposition to the passage of Navigation Acts by a mere majority in Congress. Such was the navigation compromise—or more correctly, bargain.

(5) Mechanics of Government

Interspersed among all these controversies were the various others that produced incidentally, point by point, the governmental mechanics which were the third manifestation of the convention's thought. Chief among these was the office of President. The convention had no true understanding of the modern device of the responsible ministry, and therefore thought of the President as Montesquieu might have done, as the embodiment of the executive factor in the tripartite state. Delegates who inclined to be radical shrank from setting up such a powerful officer. Conservative delegates were afraid of letting him have too close a connection with the populace. And yet, since "the People" were to govern, it was admitted that somehow the choice of President must have behind it a popular mandate. Again the question who and what "the People" recognized by the Constitution really were, and how they might express themselves, produced a confused debate. In the end the clumsy device of the Electoral College aimed to remove the choice of President from direct popular influences without robbing it of power as an expression of the will of "the People." States were to choose "electors" proportionately and these in turn were to elect the President. In its nature the office was little more than the old governor of the royal province expanded to imperial stature.

A Supreme Court restored the institution of the Privy Council as the court of last resort. Subordinate federal courts were also to be established. The powers of the federal judiciary were to include all cases "arising under this constitution, the laws of the United States and treaties." Thus it was made possible for cases arising from acts of the general government to be tried in courts that were superior to local interest, not as formerly in state courts.

The convention did not definitely endow the Supreme Court with that other function of the Privy Council, judicial review. But this function of a supreme court had been so familiar to every American in colonial times that it is hard to disagree with Professor Farrand when he says, "There is little doubt that the more important men in the convention . . . believed that the judiciary would exercise this power," which may be read into the provision that "the judges

in every state are to be bound [by the Constitution]; anything in the constitution or laws of any state to the contrary notwithstanding." As a matter of fact, soon after the adoption of the Constitution the Supreme Court assumed this power and has exercised it ever since.

In defining the powers of Congress both Parliament and the colonial assemblies were imitated. The relations of the two houses and the general scope of the activities of Congress were largely determined by tradition. But not altogether. Though the Lower House was given the familiar right to originate money bills, an attempt to stick to tradition and forbid the Upper House to amend such bills was a failure.¹ It is curiously plain that the Convention regarded the Senate as the predestined citadel of the aristocratic element in the new government. It is not clear whether this forecast had anything to do with empowering the Senate to sit as a court for trial of the President should the House exert its privilege of impeaching him for misconduct. All imposts laid by Congress were to be uniform throughout the country; no preference was to be shown any state in Congressional legislation; no export taxes were to be laid—a provision insisted on by the agricultural interests of the south, because of their distrust of the shipping interests of the north; otherwise, Congress had unlimited power of indirect taxation. Though the President was given a veto upon the acts of Congress it was provided that a bill could be passed over his veto by a two-thirds vote of both houses. The voting in both houses was to be individual by members, not by states.

The Federal Government alone could maintain a standing army, though the states might maintain a militia. The Federal Government might use whatever force it deemed necessary to carry out its laws, but this force was to be used against individuals disobeying the laws, not against states.

¹ Rutledge, to the convention, August 13: "The House of Commons not only have the exclusive right of originating, but the Lords are not allowed to alter or amend a money bill. Will not the people see that this is a mere tub to the whale? . . . The Senate being more conversant in business and having more leisure will digest the bills much better. . . . These clauses in the Constitutions of the states had been put through in blind adherence to the British model. . . . The experience of South Carolina, where the Senate cannot originate or amend money bills, shows that it answers no good purpose and produces the very bad one of continually dividing and heating the two houses."

(6) The Confederation Overthrown

Finally the convention incorporated in the Constitution two provisions which by themselves would fully justify the term "counter-revolution." All the thirteen states had pledged themselves to a "perpetual" union under the Articles of Confederation. Throwing that pledge to the winds, it was now agreed to call upon any nine states ratifying the Constitution to secede from the Confederation and unite in a new union to be established by the body of citizens described as "the people of the United States."

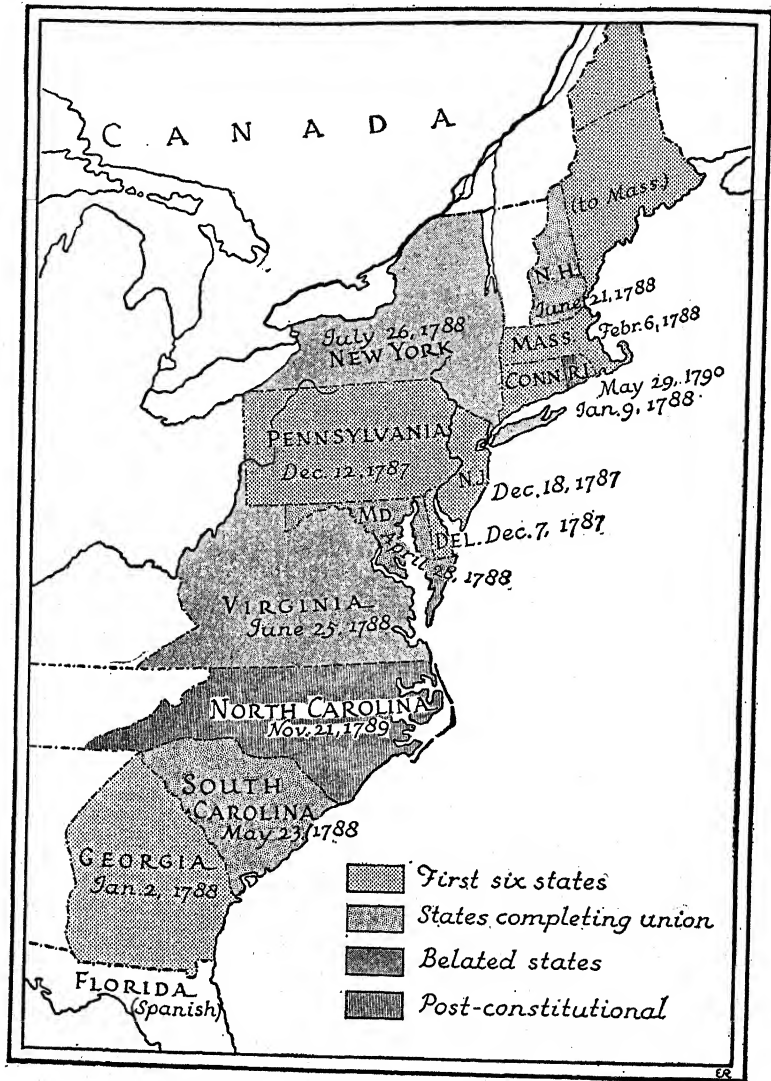
Furthermore, acting on the assumption that the new Constitution was to be fundamental law, not mere legislation, the convention provided that it should be adopted not by legislatures but by special conventions of "the People" called for this express purpose.

The convention had done more than draw up a Constitution. It had created a political party. The signers were not sure they had solved their problem, but they were determined to give their product a trial. They went home to organize in every state a political campaign.

At once the battle of the factions broke out anew. The party of the signers had the advantage of the first start and of organization. This was demonstrated in the first campaign for adoption. The city of Philadelphia, with all the moneyed and commercial interests of Pennsylvania, was strong for the Constitution. Their representatives in the state legislature moved at once to call a constitutional convention. The radical minority in the legislature, taken by surprise, could think of no counterstroke except to absent themselves from the Assembly and, by preventing a quorum, make official action impossible. A mob invaded the lodgings of radical members and dragged them to the state-house, where they were held in their chairs during the passage of a bill summoning a convention. The apportionment of membership in the convention gave a majority to the wealthier portions of the state, and the rural districts, where was the strength of the radicals, were unable to prevent speedy ratification.

Previous to Pennsylvania's final vote Delaware had ratified. New Jersey, Georgia, and Connecticut quickly followed.

Then came a great contest in Massachusetts. It turned largely



THE RATIFICATION OF THE CONSTITUTION

on the influence of the two radical leaders Sam Adams and John Hancock. Adams allowed his constituency, Boston, to decide the matter for him, and when it declared for the Constitution he came to its support. The conservatives appear to have purchased Han-

cock's aid by promises of future political support. Massachusetts ratified.

With the ratifications of Maryland, South Carolina, and at last New Hampshire (June 21, 1788) the necessary nine states had agreed to come under the new "federal roof," as the saying was.

But still the great states of Virginia and New York were doubtful. In Virginia Patrick Henry was passionately against it. He could see only the strong and, as he thought, despotic, features of the new system, with its self-sufficient general government armed with the power to tax. "I will never give up that darling word, requisition," he cried. He was aided by the genius of Mason, who had refused to sign the Constitution, feeling that it would create a dangerously consolidated form of government, one which would not give adequate heed to local interests. Nevertheless, largely through the influence of Madison in the back country, Virginia ratified.

Why New York followed suit is not clearly known. Up to the moment of the meeting of the convention the party of Clinton thought that they would surely prevent ratification. The shifting of votes in the convention, giving at last a majority of three for adoption, is generally thought to have been due almost altogether to the personal influence and the fiery logic of Hamilton.

The battle over the adoption was between two irreconcilable parties, one of which had temporarily drawn to itself a great number of intermediates who regarded the new system as at least preferable to the old. On each side the motives were various. It is not unfair to trace the two parties back to the two divisions of the Whigs of 1774, the moderates and the radicals of the first revolutionary movement. Since that time the four American political groups (page 184) had shrunk into two and these had more or less changed form. The Tories had been eliminated. The radical revolutionaries and the old populace had practically coalesced. The moderate revolutionists had absorbed the new wealth which had been developed since 1776. They had also probably absorbed an indefinite number of latent royalists who had evaded taking sides during the war. As has been intimated, they had also, for the moment, drawn into their party a relatively timid element that doubtless sympathized with the radical program but had been alarmed by radical excesses.

But the distinction between radical and conservative was not the only distinction between the "Federalists" supporting the Constitution and the "Anti-Federalists" opposing. There was also that deep issue of nationalism or confederatism. Mason and Henry had many followers on this point alone, irrespective of all other considerations. It was to meet their attack that Hamilton, Madison, and John Jay united in the first literary production of independent America that deserves to be ranked high. Their *Federalist* was a series of essays defending the Constitution with a view to proving that it would not consolidate government unduly.

The remaining steps in the counter-revolution were quickly taken. Congress, which had hitherto been quite neutral, leaving the states to do what they pleased without Congressional advice, now accepted the action of eleven states as a virtual mandate. Like the convention it threw overboard the requirement of the Articles for unanimous assent of all the states to any change in the composition of the "perpetual" Confederation. In August, 1788, the last Congress of the old Confederation ordered elections to be held in eleven states for President. The old Congress had fixed the first Wednesday in the following March (which happened to be the fourth day of the month) as the date for the meeting of the first Congress of the new Union. North Carolina and Rhode Island, not having ratified, were left to shift for themselves. The seat of government was fixed temporarily at New York.

The great influence of Washington had been a major force in bringing about the adoption of the Constitution. The first electoral college voted unanimously for Washington as President.

Owing to a variety of delays and confusions, the new government was far behind time getting started. Not until April 30, 1789, was a little group of famous men assembled in the upper portico of the Federal Hall on Wall Street at the head of State. The streets below were packed with people. A tall, commanding man, gray-haired, with bright blue eyes and a sternly resolute mouth, who was beautifully dressed in a suit of brown satin, a sword at his side, took the oath of office. Chancellor Livingston, who had administered the oath, turned to the crowd and called out, "Long live George Washington, first President of the United States!"

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CHAPTER XIV

WASHINGTON AS PRESIDENT

(1) Tentative Readjustment

THE same groups and interests, prejudices and aims, that had animated the voting for the Constitution reappeared in the elections to the First Congress. The enemies of the Constitution, making the best of their defeat, voted for representatives who were at least distrustful of the new régime. Consequently Congress was made up of three parts—the friends of the Constitution, its enemies, the doubtful ones who were sitting on the fence watchful how the new régime would develop.

Even among the friends and supporters of the Constitution there was no little uncertainty about the future. In putting the Constitution into effect there was so much room for interpretation that it was impossible, when the First Congress assembled, to say just what the outcome would be. Every wise man, skilled in politics, knew that a governmental tradition had to be built up, that the Constitution itself was the mere skeleton of a government, and that the flesh and blood which would make it a live thing would consist of the governmental tradition yet to be developed. We are to behold a rapid disagreement in working out the new governmental tradition. Within a few years Madison asserted that already the government had been transformed into something which many of its original supporters had not foreseen, in which many—including Madison himself—did not believe.

The new Congress began immediately to put into operation the powers conferred upon it by the Constitution. In contrast with the old Congress of the Confederation, it did not hesitate to lay taxes—duties averaging five per cent on imports (1789). The discussions over this first tariff act were prompt evidence that the clash of economic interest and of local rivalries might easily revive and become as tense as ever. Each section wished to keep taxation off articles especially useful to it. On the other hand, Pennsylvania

opened the argument for protection. This was because already Pennsylvania had begun investing in manufactures. The slightness of the tax prevented serious controversy.

Congress had to provide for the machinery of government. It authorized the President to appoint Secretaries of State or Foreign Affairs, of War, and of the Treasury; also an Attorney-General to be the legal advisor of the President, and a Postmaster-General, the latter being subordinate to the Secretary of the Treasury. Very unpretentious were the "departments" of that day—merely the secretary and a few clerks whose pay was hardly more than nominal. Washington appointed Jefferson as the first Secretary of State; General Henry Knox, Secretary of War; Hamilton, Secretary of the Treasury; Edmund Randolph, Attorney-General; Samuel Osgood, Postmaster-General.

A national judiciary was created by the act of Congress providing for a system of district and circuit courts and above these a Supreme Court, presided over by a Chief Justice and four associate justices. In after-time other courts were established as the work of the national judiciary expanded. The associate judges of the Supreme Court have increased to nine. To the great office of Chief Justice Washington appointed John Jay.

This First Congress felt itself under obligation to amend the Constitution. A curious oversight of the convention was its failure to provide a bill of rights protecting citizens against despotic action by the Federal Government. Those traditional civil rights about which so much had been said were secured to the citizen in every state either by a bill of rights or in the text of the state constitution. So far as state governments were concerned the citizen was further entrenched behind the personal safeguards of the Common Law. It was instantly pointed out, in 1787, that the new federal Constitution raised no such safeguards against the Federal Government. In the campaign for ratification the assurance that this defect would be cured by prompt amendment was freely given. Congress now considered a great number of proposed amendments, and compacted them into a few. Presently ten were ratified by the states. They form the precious body of inalienable personal rights that sum up the long civic struggle which has bequeathed to American civilization its distinctive character.

Another problem immediately pressing upon Congress was the relation of the new government to those two states which had not accepted the new system—North Carolina and Rhode Island. The former did not present a serious difficulty. The opponents of the Constitution in North Carolina had barely succeeded in postponing action in 1788 in the hope that after all the new government would not produce an immediate impression of strength. The first session of Congress had the reverse effect. In November, 1789, North Carolina ratified the Constitution.

Rhode Island was still outside "the federal roof." The bitter enmity between the same factions that produced the paper-money quarrels (page 256) was unabated. The merchants eager to come under the new roof for the sake of trade were in the minority. The paper-money party, fearful of the power of Congress to frustrate all their hopes, controlled the state elections and refused to ratify. At the opening of 1790 the Union comprised twelve states, with tiny Rhode Island in an undefined status by itself. The Senate decided to take the high hand. It passed a bill which would have broken off commercial relations with Rhode Island and demanded her share of the debts of the Confederation. Thereupon, the radical majority gave way and reluctantly consented to ratification, which took place in May, 1790.

(2) Beginnings of a New Tradition

Washington, as President, began with the idea that his office was above party, that he should draw about him as his advisers the best men of all factions. In his first view of his office, it was virtually that of a constitutional monarch before the days of responsible ministers—such a monarch as William III. This was the conception of the chief magistrate that had been current in America for a century. It had been kept alive by its symbol, the colonial governor. One of the first questions that now arose was—shall the new tradition mould the office of President on the model of the constitutional monarch or on some other?

It was not immediately answered. One of the earliest steps toward the formation of a working tradition of government was determined by Washington's relation to the Senate. The upper houses of the colonial legislatures were in part what their name

implied, "councils"—councils to the governors. Washington attempted to treat the Senate as his Council of State. The attempt was a failure. It was plain that the Senate wished to regard itself first of all as a legislative body, the rival perhaps of the President, but certainly not his advisory council.

Balked in his attempt to get advice from the Senate, Washington fell back on his own conception of the presidency and organized his secretaries as an executive council. This was the beginning of the cabinet in the present sense—the inner group of advisers to the President who meet periodically, and who, though with no power to fix his course, assist him to determine it.

Almost immediately it became plain that Washington's conception of the supreme President acting as judge over all parties and factions would be difficult to carry out. The views of the two men of genius in his cabinet were irreconcilable. How was he to make government effective with constant discord at the heart of it? We shall see the reply worked out through the events of the year 1793, when another far-reaching item was added to the new governmental tradition.

It is very necessary to distinguish between tradition and policy. Out of clashes in policy a new item in the forming tradition was sometimes developed, sometimes not. The term "tradition" is to be confined to those understandings, however brought about, which fasten upon the practice of the government some accepted mode of doing things which is supposed to continue indefinitely irrespective of the fluctuations of policy.

It may be as well to state here the two remaining contributions to tradition made by Washington, the provocative causes of which will appear presently in the account of his policies.

He was driven eventually to abandon his first conception of the presidency and to allow circumstances to mould this office on the lines with which we are now familiar. The events of 1793, soon to be narrated, convinced him that the President had to have a party behind him. Soon afterward he gave up his attempt to stand above party and consented to become the head of a party which appropriated the name "Federalist." Ever since then the American President has been a party leader, ruling by virtue of his party strength, with no suggestion of the constitutional monarch.

Washington made another contribution to the new tradition that was still more significant. He was led to do so by the controversy between Hamilton and Jefferson over the establishment of a bank: the controversy that forms the chief event of the year 1791. In this case a debate over a question of policy developed an abstract constitutional question that had no limit to its possible applications. It amounted to this: if the Constitution is silent in regard to some power that the government wishes to use, must the silence of the Constitution be construed as prohibition, or may the desired power be sought for by implication in the general powers bestowed by the Constitution? In this question of "implied powers" lay the germ of a controversy that has never altogether come to an end. More than a century later Theodore Roosevelt said in substance: I have the right to do anything the Constitution does not forbid me to do. President Taft said in substance: I have the right to do only what the Constitution tells me I may do. Hamilton took the former position in reasoning for the establishment of a bank; Jefferson the latter. Washington sided with Hamilton. Thus the doctrine of "implied powers" was introduced by Washington as part of the forming governmental tradition under the new régime.

(3) The New Policy

We turn now to questions of policy.

First in order was the national debt. The Secretary of the Treasury recommended (1) that the foreign debt be paid at face value; (2) that the domestic debt be paid in the same way; (3) that the Federal Government assume and discharge all state debts incurred during the Revolution and still unpaid. There was no serious objection to his first proposal. Over the second and third there was furious discussion (1790). The domestic debt had been bought up by speculators. Why should the government present them with the difference between the face value of the bonds in question and what they had paid for them? Hamilton argued that the supreme need of the moment was financial confidence in the new government, that the surest way to create this was to pay off the debts inherited from the Confederation at par. A promise was a promise, he reasoned, and a negotiable promise, a bond, should always remain binding. At length, by a very narrow majority, his proposal was

accepted. At once there was hue and cry accusing him of playing into the hands of the creditor classes and charging that the speculators in public securities controlled Congress. It was quite true that the majority in Congress held government bonds. How far this fact controlled their course has been fiercely debated to this day.

The assumption of the state debts was opposed with similar arguments. Furthermore, some of the states had paid off their indebtedness. They did not want to be taxed for the benefit of those that had not. Congress rejected Hamilton's third proposal.

But the astute secretary did not lose heart. As yet no place had been selected for the national capital. Many southerners, and all Virginians, wished to place it on the Potomac. Virginia still dreamed of opening a trade route to the west through the headwaters of the Potomac. Could not a deal be made linking together the cause of debt assumption and the cause of southern location of the capital? This possibility was discussed at an historic dinner at the house of Jefferson. He, Hamilton, and others, thrashed the matter over and agreed to pool their interests. Jefferson, though sharply opposed to Hamilton in all his financial policy, was willing to support assumption as the price of a southern capital. A few southern representatives were persuaded to change front. Congress reconsidered its action on the state debts and fixed the site of the contemplated city of Washington at the falls of the Potomac (1790). Philadelphia was to be temporary capital for ten years.

The next year Hamilton went a step farther in his financial policy and proposed the establishment of a national bank. Again the cry was raised that his eye was on the interests of the moneyed classes. His plan would make the proposed bank the agent of the government in disposing of its bonds and would give it the government moneys as the core of its deposits; would also give the bank the power to issue notes as currency with the credit of the government behind them. Naturally, the proposal was at once denounced by all those who wished to keep monetary legislation out of the hands of the central government, who wanted it to be as responsive as possible to the immediate demands of the debtor classes and of local interests. Jefferson, always distrustful of the commercial classes, took alarm. By way of checking action he raised the constitutional question which led to the formation of

that doctrine of implied powers already mentioned. Washington, acting as arbitrator between the two, at length took sides with Hamilton and signed the bill which Hamilton had induced Congress to send to him. The bank was speedily organized (1791) and became at once the rallying point for the friends of the Administration and a point of attack for its enemies.

(4) Formation of Political Parties

The election of 1792 gave occasion for what might be called the outlining of definite political parties, though the full acceptance of party government was delayed until 1794. By 1792, it was quite plain that the conservative classes were pinning their faith to the new government and the new political tradition that the Washington Administration was building up. The personal influence of the President was the foundation on which they built. It is an interesting question for his biographers how far the Washington of 1792 was the same man as the Washington who seventeen years before took command of the Continental army. It has been plausibly argued that in those long, hard years he had lost something of his old flexibility, was a sterner, less sympathetic man than in the glorious days of the first years of the war. Be that as it may, there seems to be no doubt that he was now definitely a conservative, that he was more the aristocrat than ever, that some at least of the tendencies of the time alarmed him. He did not want a second term as President, but consented to accept the nomination for fear that otherwise the forces which he distrusted might carry the election and sweep the country into a radical policy.

A new party was forming and had named itself Republican. Jefferson, though still a member of the cabinet, was its leader. Madison, wholly convinced that the new political tradition was perverting the Constitution, was his second in command. Their appeal was to all the groups of the discontented, to all who felt that Congressional legislation hitherto had favored the creditor classes, to all those who ever since 1776 had been looking for the end of the rainbow but had not found it—Freneau and all his sort. The leaders had not as yet any specific program for finding the rainbow's end, only a promise to try.

The French Revolution was beginning to affect America. Con-

servatives felt that it was utterly different from the American conception of republicanism. Radicals threw up their hats and shouted when they heard that the French Convention had abolished monarchy (September, 1792), and were not horrified by the execution of Louis XVI a few months later (January, 1793). A new violence appeared in all demands of the spokesmen of the masses. It was at this time that Freneau, the intemperate idealist, found his place in our politics. A newspaper, *The National Gazette*, made its appearance in 1791 with Freneau as editor. Jefferson was a sort of patron to the poet-radical. In the elections of 1792 *The National Gazette* was the organ of discontent, of hostility to the moneyed classes, of the friends of the French Republic. At the same time appeared a crop of political clubs formed by the same people who found their views expressed in *The National Gazette*. These Democratic Clubs were modelled after the Jacobin Club in Paris.

The candidacy of Washington was not opposed and thus the presidency was saved for the conservatives. But the radicals made surprising gains in the elections to the House of Representatives. Though the party groups were not yet hard and fast, a majority of the new house called themselves by the new name, Republican.

By the time these new representatives took their seats (December, 1793), the effects of the French Revolution had produced in America such bitterness between the two parties that another turning-point in our political history was the result. What brought this about dates back to the outbreak of war between the French Republic and the British Empire. The republic expected America to stand by it because of our old treaty of alliance with the French monarchy. Washington held that the treaty had died a natural death through the lapse of time and the transformation of the French state. On April 22, 1793, he issued a proclamation of neutrality. Instantly the nation took sides. French sympathizers denounced the President, accused him of playing into the hands of England, and labelled the supporters of neutrality "Anglomen." The latter retorted by calling the others "Jacobins."

France made the mistake of sending over a foolish man as her envoy. Citizen Genet landed at Charleston (April 8); was given successive ovations by ardent Republicans on his way north; attempted to take a domineering tone with Washington and found

himself unable to make the slightest impression upon the splendid reserve of the self-contained President. Genet had expected to use American ports as naval bases for French privateers. The Secretary of State warned him not to do so. By proclamation (June 5, 1793) all privateers were ordered out of American waters. Nevertheless, early in July, while Washington was absent from Philadelphia Genet fitted out the ship *Little Sarah* and prepared to send it to sea under the French flag. Jefferson protested. Genet gave him to understand that he would not go farther in the matter of the *Little Sarah*. But hardly had Jefferson turned his back than Genet sent her to sea. Washington, returning hastily to Philadelphia a few days later, was in a towering rage. He exclaimed: "Is the minister of the French Republic to set the acts of this government at defiance with impunity?"

Genet had overshot himself. The government of Robespierre disavowed his conduct and sent over a new minister. Diplomatically the incident had slight importance. Politically its importance was great. The quarrel between Anglomen and Jacobins became scandalously bitter. Freneau and other Republican editors abused Washington in their columns with an intemperance hardly credible. A famous poster appeared in which Washington was shown meeting the fate he deserved at the guillotine. Jefferson felt that these conditions made it impossible for the cabinet to continue a bipartisan body (page 280). He resigned (December 30, 1793). Washington regretfully accepted his resignation. Though he tried for a little longer to have the opposition party represented in the cabinet, appointing Randolph, who was now a Republican, as Jefferson's successor, when Randolph resigned (December, 1795) he was succeeded by a thoroughgoing Federalist, Timothy Pickering.

(5) *Washington's Later Problems*

During his remaining years as President Washington had to wrestle with three great problems, all of which did their parts defining and widening the social-political cleft that was cutting deep into the life of the new nation. The first to come to a head was a continuation of the quarrel over foreign affairs that had been precipitated by Genet. The war had produced complications over neutral trade. France as a war measure had opened her West India

ports to neutrals. England had invoked an idea which was known as "the rule of 1756," in which it had been asserted that a change in trade relations made by a belligerent after war was declared was not binding on its enemy. England refused to allow American ships to trade with the French West Indies. The British Government also revived the controversy over enemy goods on neutral ships. Despite the experience of the Armed Neutrality (page 216), it refused to admit the American claim that "free ships make free goods." In enforcing her position, the British navy captured American crews and treated them with severity. American seamen were impressed into the British service. An order of council (June 8, 1793) made food contraband of war and ordered the seizure of food ships bound for France and the diversion of their cargoes to an English port.

Naturally, the American "Jacobins" were enraged. The Republican party made itself their instrument. In January, 1794, Madison introduced into the House resolutions calling for prohibitory duties upon English goods. But the House was not quite ready to make the issue. The Republicans tried again in April, when Washington nominated Jay as envoy extraordinary to Great Britain in the hope of negotiating a treaty. This time they got a majority in the House for a resolution which would have prohibited trade with England altogether and thus ruined Jay's mission in advance. The Federalist Senate rejected the resolution and Jay proceeded upon his mission.

Two other trains of events had conspired to make the administration in 1794 eager for some sort of treaty that would stabilize our relations with Great Britain.

One of these was commercial. We have seen how unsatisfactory were American commercial relations following 1783 (page 253). So far as Europe was concerned they had scarcely improved. The trading classes were more impatient than ever for trade agreements that would open to them the harbors of Europe and the West Indies. But there was another reason, unknown in 1783, why they particularly wanted commercial relations with England. Shut out of the European and West Indian trade the Americans had turned to the Orient. As will appear in the next chapter, the China trade had revealed itself as a possible Eldorado. The merchants who were rushing into it had imperative need of a credit system that would

serve their ends in the more complicated relations of international trade. The only practical solution was by means of bills of exchange drawn on London. To effect by treaty a commercial relation that would enable them to purchase such bills of exchange seemed to the American merchants an immediate condition of prosperity. It was partly to meet this demand that Washington decided to reopen negotiations with London.

The moment appeared propitious because of events that had recently taken place in the west. A quarrel with England over the northern forts had been inherited by the new government from the Confederation. When Washington became President, England still insisted that she was justified in holding the forts because the United States had not facilitated the collection of British debts and had not protected the Tories (page 234). A new fur trade was springing up in the northwest; Canadian fur-traders were rousing the Indians to distrust the Americans; the movement of settlers westward after the treaty of Fort Harmar (page 249) filled the Indians with dismay. They became restless and menacing. General Arthur St. Clair, governor of the Northwest Territory, made a rash attempt to subdue the Ohio Indians, was led into ambush, and lost almost all his force of 1400 men (1791). The gravity of the resulting situation led Washington to dispatch new forces to the west under the command of General Anthony Wayne, who marched into the Indian country and established Fort Greenville (1793). Thereupon the British commandant at Detroit, early in 1794, marched south into American territory and built a fort on the Maumee. An international crisis appeared to be developing in Ohio. Washington instructed Wayne to proceed with his Indian campaign and if necessary expel the British from the fort on the Maumee. The rashness of the Indians delivered Wayne from his trying diplomatic situation. They attacked him at Fallen Timbers and suffered one of the great defeats of frontier history (August 20, 1794). The year following the Indians made the Treaty of Fort Greenville, which drew a boundary between the wild lands and those open to settlement; it gave peace to the frontier, though the British forts still contained royal garrisons.

This crucial year 1794 witnessed an internal commotion which became identified in the popular mind with the great social and

diplomatic issues, and therefrom attained an importance quite out of proportion to its real magnitude. It traces back to the sordid matter of a tax on whiskey which Hamilton had inserted in an excise law (1791) designed to raise funds for the payment of the public debt. Whiskey was one of the earliest commodities produced along the frontier. It could be easily manufactured and was easily transported. In western Pennsylvania distilling was almost universal. The people who carried it on were practically all in the class that had opposed the Constitution, that had been ill-represented in the colonial and early state legislatures, that regarded the wealthy people of Philadelphia as their natural enemies. To these westerners taxation, even state taxation, was almost unknown. When the excise collectors began coming among them and demanding taxes on the output of their stills they rose as one man to resist them. Angry demonstrations against the government caused Washington to issue a proclamation of warning (1792). It had no effect. Stills belonging to farmers who had paid the tax were destroyed. Notices signed "Tom the Tinker" threatened vengeance from the "Whiskey Boys" if the tax continued to be paid. The government decided to prosecute supposed offenders. This provoked an insurrection; an inspector named Neville was forced to flee for his life, while behind him the whole countryside was up in arms.

This "Whiskey Rebellion" immediately took on a political significance. Governor Mifflin of Pennsylvania was relying on the populace in state politics and feared to offend the western farmers. He refused to call out the state militia to restore order and enforce the law. When Washington consulted the Secretaries of State and the Treasury, the Republican Randolph urged him not to use force, while the Federalist Hamilton begged him to do so. Mere border lawlessness was not the real issue. The question that had arisen was whether the temper of the Federalists—of the aristocratic party, the creditor party, the one that desired before all else a strong government that would keep the masses in order—whether the temper of this party should be displayed as the temper of the government or instead the temper displayed should be that of their opponents, the party of reluctance to assert power, of conciliation, of tenderness toward the wishes of the crowd. Washington dealt with the situation as long before he had dealt with mutiny in the army. He

boldly determined to make a test case upon the ability of the government to set the populace at defiance. A proclamation summoned 15,000 militia from Pennsylvania, New Jersey, Maryland, and Virginia—a larger army than had been under his command at any one time in the Revolutionary War. At Carlisle, Pennsylvania, Washington reviewed the militia. His presence called forth great enthusiasm. That was the last event of his career as a general. He left to younger men the actual conduct of the ensuing event. Before their march the insurrection melted away. A number of ringleaders were seized. Some of them were taken to Philadelphia and paraded through the streets as felons. This touch of cruelty was fiercely resented by the Republicans, many of whom renewed their denunciations of Washington and talked as if virtual monarchy had been set up in America, and as if the suppression of the insurrection was but a futile attempt to smother a volcano. They ignored the fact that no battle had occurred, that only eighteen Whiskey Boys were arrested, only two convicted, and that they were pardoned by the President.

Only by keeping in mind this complex background of partisan fury and violent exaggeration can this last stage of Washington's career be fully comprehended. Both parties were laboring with all the arts of political chicanery to control his policy—the Federalists by persuading all the conservative elements to demand of him a relentless opposition to all the friends of the French nation, which was then in the grip of the Reign of Terror (1793–1794); the Republicans by marshalling all the radical element with a view to thwarting any move of the Administration that did not favor France or embarrass her enemy England. No private documents have adequately revealed Washington's inner life during the first ten months of 1794. To the world he grimly revealed himself in the address¹ he made to Congress when it assembled in November. The address contained a startling intimation, understood by every one, which laid the responsibility for the Whiskey Rebellion upon the Democratic clubs. A furious debate on the subject in Congress drew the

¹ Washington, and afterwards Adams, appeared in person before Congress at the opening of each session and delivered an address which is an American descendant of the King's speech from the throne at the opening of Parliament. Jefferson changed the custom, substituting a written message for the address. President Wilson revived the address. President Harding went back to the message.

lines between the Administration and its enemies with merciless sharpness.

While politics were at fever heat, in the spring of 1795, a treaty negotiated by Jay came over from London. Its contents, if not a surprise, were certainly a disappointment. With regard to international law, upon which the Republicans were so insistent, England conceded nothing. As to the questions left over from the treaty of 1783, a bargain had been struck. To offset the claims of the Tories, Jay had brought forward counter-claims for the value of slaves carried off by the British armies. As a compromise both sets of claims were set aside. International commissions were to arbitrate the debts claimed by British merchants under the treaty of 1783, to fix the northwest boundary, and to adjudicate claims growing out of British seizure of neutral ships. The British garrisons were to withdraw from the northwestern forts in 1796. Freedom of trade was to be allowed the Americans with the British Isles and the British East Indies. The British West Indies were to be open to American vessels of not more than seventy tons, but such vessels were not to trade between the West Indies and Europe. To guard against such trade being carried on indirectly by the Americans, it was specifically promised that West Indian products, including molasses, sugar, coffee, and cotton, should not be shipped from an American port to a European port.

Washington sent the treaty to the Senate while he debated what he would do. The Federalist majority in the Senate, dominated by the point of view of the merchants—especially the New England merchants, so eager to organize the new trade with China—ratified the treaty on the ground that any commercial treaty with England was better than none. Washington after much deliberation reached the same conclusion and signed the treaty.

When the terms of the treaty were made public a storm broke. The Republicans cried out that their worst fears had been realized. For the sake of a little commercial gain we were to put our pride in our pockets, allow the British lion to continue to lord it over the sea, and even permit him to dictate how we should trade with other nations. The arguments in defense of the treaty were denounced as mere class-interest, as evidence that the money power ruled the country, as further signs of a reaction against the cause of the

people, as hostility to their true ally, the French Republic. From this point of view, the idealism which ought to be America's treasure was being traded away for the ease of acquiring bills of exchange.

The debates over the treaty caused the virtual addition of another item to our governmental tradition. While the Constitution does not give the House any treaty-making power, the House can interfere with any form of governmental activity that necessitates the appropriation of money. The Republican leaders in the House attempted to frustrate the treaty by killing appropriations designed to aid in its execution. The matter was formulated in a resolution introduced by the Federalists to the effect that appropriations ought to be made to carry the treaty into effect. Fisher Ames, the Federalist leader in the House, at last put the resolution through by the close vote of 51 to 48. Thus the principle was laid down that the House should not defeat the execution of a treaty.

The Republican fury against Washington reached its height. No abuse was too gross to be heaped upon the "step-father of his country"—as they delighted in calling him. He had aged more rapidly than his years—sixty-three—justified. The torrents of abuse had hardened him. A stern, uncompromising old man, he faced his enemies in the old spirit of the indignant general face to face with mutineers. As the year 1795 drew to a close he prepared for a last struggle to maintain his leadership.

One encouraging event took place late in the year. It was a real diplomatic victory in the shape of a treaty with Spain negotiated by Thomas Pinckney. All along, amidst the difficult complications with England a parallel source of anxiety were the complications with Spain. The Mississippi question was still unsettled, and all the west was restless and dissatisfied. Natchez was held by a Spanish garrison, and the southern boundary was in dispute, when Washington in 1791 entered upon his long, tortuous Spanish negotiations. The Spaniards still believed that they could plague the westerners into secession. General James Wilkinson, Spain's secret agent, dealt out bribes to western leaders, while the Spanish governor of Florida sent agents among the Indians inciting border war on his frontier. There was desultory Indian war in the southwest in 1793 and 1794 but no great action like Fallen Timbers. So restless and discontented was the southwest that Genet in the midst of his rashness in 1793

had attempted to capitalize it in the interests of France. He offered French commissions to American soldiers of fortune if they would organize expeditions against Florida or Louisiana. For a time it looked as if he might involve us in a war with Spain as well as with England. His fall put an end to these schemes. But a new sense of danger was aroused both at Philadelphia and Madrid. While Jay was finishing his negotiations with London Washington sent Pinckney to Spain. A crisis was gathering in European diplomacy. Spain was afraid of England. She wanted her hands free. The news of Jay's treaty alarmed the Spanish minister, Godoy, and he made haste to come to terms with America lest the Jay treaty should prove the first step toward an Anglo-American alliance against Spain. The Pinckney treaty (1795) gave us the thirty-first parallel as the boundary of West Florida, opened the Mississippi River to American trade, and allowed the deposit of sea-going American freight at New Orleans without payment of duty.

The concluding chapter of Washington's career begins in December, 1795. Randolph, the last Republican in the cabinet, resigned. Washington finally surrendered to the force of circumstance and allowed the presidency to become what it had to become—a party office (page 280). The appointment of Pickering as Secretary of State marks the full acceptance by Washington of the idea of party government.

In the campaign of 1796 he was the mainstay of the Federalists. The candidate of the party was John Adams. The Republican candidate was Jefferson. The campaign was vindictive; all the hatred of Washington and his policies was again bitterly expressed. Shortly before the election Washington responded in an unexpected way with consummate dignity. He issued his Farewell Address. In a way, it was a defense of his foreign policy. He besought his countrymen to be faithful to the Constitution, to live in harmony among themselves, and to avoid entangling themselves in European problems.

When the electoral vote was counted Adams had 71, Jefferson 68. The two rivals thus became President and Vice-President—the present mode of securing both offices to the same party had not yet come into effect.

When Adams was inaugurated the indecent hostility toward Washington flamed forth in one of the most famous insults of journalism. A paper called *The Aurora*, edited strangely enough by a grandson of Franklin, B. F. Bache, printed an editorial declaring that America should rejoice because "the name of Washington from this day ceases to give a currency to political iniquity and to legalize corruption." With the flight of time the opprobrium that was showered upon this great genius has vanished from the serious thought of the world and is remembered now only by students of the curious. The abiding judgment is that of Henry Lee—"first in war, first in peace and first in the hearts of his countrymen."

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CHAPTER XV

THE NEW ARISTOCRACY

(1) Changes in the Upper Classes

By 1796 the Federalist party had become frankly the instrument of the upper classes. It represented the old aristocratic class of 1763 but with a difference. Thirty-three years had elapsed since 1763—the time usually allowed for a “generation” to come on the scene, do its work and begin to pass. Very few of the great Revolutionary figures remained. When Washington withdrew from public life Jefferson and Adams were the only conspicuous ones. Most of the leaders of 1796 had been either minor personages of the Revolution, like Hamilton, or had made their mark altogether since its close.

In a way the group that composed the upper stratum of society was not what any of the old men—Washington, for example—had thought in 1763 it was certain to be in his own later days. Many of the great families of 1763 had disappeared. It was this upper stratum that had suffered most through the proscription of the Tories. Into it many new people had been adopted. There had been a wide extension of the principle of “aristocracy with the doors open.” The new President looking back to his youth must have had curious thoughts, remembering that in the old days the students at Harvard were classified according to social rank and that one, John Adams, was rated fourteenth in a class of twenty-four; or that once upon a time he and his cousin Sam had fought so hard against the policy of the aristocratic liberal party because these Adamses were poor young men who could not afford to have the courts close (page 190). And now this once obscure Adams was the choice of the transformed aristocracy as President of the United States.

Furthermore, some great figures had stepped out of the class that would have eagerly retained them and had become champions of a political gospel non-aristocratic. Jefferson, of course, first of

all; and others, like Charles Pinckney, in South Carolina; and the powerful Clinton family in New York; a considerable group of able men in Pennsylvania; and even a few in New England.

However, there had been no violent change in the apparent character of the aristocratic class, and doubtless all the wealthy and prosperous people of 1796—or very nearly all—thought of themselves as belonging to the same class that had bravely inaugurated the Revolution and had contributed so largely to its success. They appreciated the sacrifices the aristocrats had made. There was no denying that they had suffered greatly. Except so far as their fortunes had become involved in the new trade that was springing up, most if not all of them were poorer than they were before the war. In the old days they had not thought much about money—it came easily. Now, money problems had to be thought about. A determination to secure prosperity for their own class was inevitably part of their thinking.

This upper class as it was in 1796 comprised a social alliance of landholders, merchants, and bankers. For all three groups prime considerations were ease in borrowing money and safety in lending money along with the certainty that money values would remain constant. Hence the impatience of the aristocrats whenever the debtor classes made demands that threatened in any way to interfere with what they regarded as prosperity. They lived in fear of a revival of the old movements of the Confederation period, fearing cheap money and the interests of the poor against the rich. Dread of radical legislation was thus implanted as one of the cardinal features of the new temper of the aristocracy.

This fear was expressed through a revival of that dread of the west which was so frankly given voice in the convention (page 269). In the next chapter we shall see that there was some justification for it from a party point of view. The three new states that came into the Union in the last decade of the century—Vermont (1791), Kentucky (1792), Tennessee (1796)—and others that came in shortly after were all dominated by the Republicans, all strongholds of radical politics. They stood for manhood suffrage, for opposition to the moneyed classes, for disregard of the interests of trade. It was quite natural that the aristocracy should be afraid of such states and wish to prevent their increase.

Even more disconcerting was the patent fact that the aristocrat could no longer assume a natural right to lead his community. When Washington was a young man it was taken for granted—at least, outside the “back country”—that the aristocrat, whether he had inherited his position, or had won his position, had a right to lead. But since then the upper stratum had become divided against itself. It had lost command. So many “new people” had appeared, and so many were not of the sort that commended themselves to the old aristocracy. Often the risen people were too rough, too opinionated, too class-conscious, to blend with “the wise, the good, and the rich.” But they were resolute, fierce, and they were gaining power. They were evidence that there was a social frontier no less than a geographical frontier. Though the aristocracy was hospitable enough to the risen man who was instinctively of their own sort, or who was willing to remould himself on their lines, they had a horror of these social frontiersmen. Society was beginning to stratify, and the upper stratum was alarmed.

In self-defense the aristocrats were rigorously insisting on the old traditional gospel of extreme individualism, of every man for himself with a minimum of regulation by the state. That had been the unformulated creed of 1763. But how different were its implications in those days when class antagonisms had not appeared, and now in a changed world where many new ideas were in the air. The great Virginia aristocrat of 1763, who made his home at Mount Vernon, was animated by a personal sense of freedom. He did not think much about theories of society or the place of the masses in the social system—Virginia did not include any “masses.” Life for him was first of all a gentleman’s agreement, and as only gentlemen were concerned in it their interests as individuals, not as a class, were all that mattered.

The space of a generation had changed all that. Now, to people of Washington’s sort it was apparent that, unaware, they had been chasing a rainbow. They, quite as truly as Freneau and the ragged classes, had had their rash assumptions, and had counted upon happiness as the golden end of revolution. But the outcome of revolution was disappointing to the aristocrats no less than to the others.

Out of all this doubt and alarm in the upper classes grew a political tendency that may be perceived at the back of all their policies.

They would organize and make self-conscious the class system which America had long possessed but to which it had given little thought until recently. Aristocracy with the doors open, they told each other, meant the rule of the commonwealth by the most able, by intelligence and conscience. And along with this conviction came a social-economic creed, a belief in the automatic filtration of prosperity downward from the top to the bottom of the social scale. Upper classes in control of money would find it to their interests to diffuse prosperity among all their henchmen and dependents. This would be the certain consequence of the predominance, as they said, of "the wise, the good, and the rich."

(2) New Commercial Hope

Though the great landholders of the Hudson valley and of the tidewater south were still, in the main, conspicuous members of the new social-political groups that sustained the Federalists as a party, their fortunes were entwined with those of the merchant princes who now became prominent; it was the latter who formed the real foundation of the new social-political power that seemed to be in the ascendant; they directed its policy and ruled its aims. There are few things upon which the two political parties held more irreconcilable views than foreign trade. The Republicans had sensed the great part that it might play in the years to come, and regarded it as almost certain to produce the sort of international rivalry that would break some day into war. That such danger was inherent in foreign trade was a fixed belief with Jefferson.

On the other hand, statesmen of the older tradition thought of national prosperity in the terms of international trade. Franklin, whose Revolutionary diplomacy was all based upon trade (page 215), had foreseen the severe trade struggle that would come with the readjustment of the world after the great war. He had the insight to perceive where America would discern her line of least resistance. With the revival of the Navigation Laws and the reclosing of the European ports, Americans would have to seek the one field open to them, the Pacific. One of Franklin's diplomatic hopes was the acquisition from France of some outlying island that would serve as a port of call for American trade with Asia.

Though nothing came of this, Franklin proved to be a true prophet. Private enterprise did what he foresaw. A pioneer in an era of merchant princes was Elias Hasket Derby, for whom has been claimed the distinction of being the first American millionaire. The son of a rich merchant of Salem, he continued his father's business and during the Revolution converted his ships into privateers. With the arrival of peace he turned his attention almost instantly to the Orient. His ship *Grand Turk* opened an era in the Derby business by a voyage to the Cape of Good Hope (1789) and subsequently was one of the earliest vessels to proceed by that road to China. The same year from New York sailed the *Empress of China*, which, fifteen months later, brought back a rich cargo direct from Canton. The report of her supercargo, Samuel Shaw, was laid before Congress and Shaw was appointed our first consul in China.

In these early years of the republic, when Congress was failing in all its commercial diplomacy, extraordinary private agreements were made by American merchants and British merchants and approved by a great British official. It is one of the quaint ironies of history that the gallant soldier who surrendered at Yorktown did as much, perhaps, as any one person to help America to regain prosperity. When the American ships appeared at Indian ports, while officially there was still no commercial relation between the United States and the British Empire, Lord Cornwallis was viceroy of India. The East India Company still ruled Britain's Indian empire. The company, disregarding formal diplomacy, welcomed the Americans, gave them the freedom of its ports, and the viceroy approved this generous policy. From the American commercial point of view, Jay's treaty did nothing more important than securing, as it did, for this agreement the formal sanction of the imperial government (page 291).

Our trade with the Orient grew rapidly. France, Holland, and Denmark had opened their Asiatic ports even earlier than did India. American trade with Canton in tea was quickly supplemented by trade with Mocha in coffee. The enterprising American traders went from port to port, sometimes emptying and filling their holds several times in the course of a single voyage. In 1789, Boston entered the China trade by sending out what was then accounted

a tremendous ship, the *Massachusetts*, 600 tons. That year, out of 46 foreign ships that cleared at Canton, 18 were American. But this was only the beginning. Our ocean tonnage in 1789 was 123,000, which increased so rapidly under the new régime that by 1796 it had risen to 576,000. In the year 1790 2000 vessels of all sorts cleared from the port of New York. In 1791, Stephen Girard at Philadelphia began building a fleet of unrivalled East Indiamen. The profits of the new Oriental trade might be judged from any one of hundreds of voyages. A record profit was made by Jonathan Carnes, a Yankee skipper, who discovered in 1793 that pepper grew wild in Sumatra. He went after pepper in the schooner *Royal*, brought back the first pepper imported direct into the United States, and cleared 700 per cent on his investment. For many years Carnes and a small group of merchants controlled the pepper trade of Sumatra. Though Carnes's gains were extraordinary, a hundred per cent was nothing unusual as return on a single voyage.

Many of these merchants, especially the New Englanders, went to sea themselves in command of their ships. Their sons were bred to the sea, and often had command of ships in far-distant waters before they had turned twenty. The most famous voyages were undertaken with a view to revolutionizing the conditions of the new China trade. At first trade with China by way of Cape Horn was embarrassed by the frequent necessity to go out without a cargo. Few American exports were wanted in China. Ginseng was almost the only exception and the market for ginseng was soon overstocked. Americans were compelled to export specie, chiefly Spanish dollars. It was this handicap that led many skippers to trade eastward in stages, selling and buying at the Cape of Good Hope, in India, the East Indies, and only in this troublesome way keeping their holds filled throughout the long voyage to Canton. In 1789 a group of Boston merchants became convinced that direct trade with China could be made profitable in a new way. Robert Gray, as their representative, sailed round the Horn with a cargo of New England manufactures—knives, blankets, copper pans—which he traded on the western coast of North America for furs; sailing thence to China he disposed of his furs, bought tea, and sailed home through the Indian Ocean and the Atlantic. For the first time the world had been circumnavigated by a ship under the flag of the United States.

The triangular trade thus begun grew rapidly to great proportions. Incidentally it laid the foundation of imperial results never dreamed of even by Robert Gray, when years afterward he died three times a millionaire. On his second voyage, 1792, he discovered the Columbia River and gave his country its earliest claim to Oregon.

The new mercantile interests were strongly entrenched in all the maritime cities, though not every merchant was a Federalist. Girard himself, who in time became richest of them all, was a devoted friend of Jefferson. It was in New England that the interests of international trade were most clearly understood and most ably generalised. Hamilton, to be sure, in his later years, was the presiding genius of the commercial-political combination. But hardly less important than Hamilton was a group of New England politicians still remembered as the Essex Junto. They were merchants and lawyers who happened all to live in Essex County, Massachusetts. Among them was Washington's final Secretary of State, Timothy Pickering; likewise that brilliant House leader who saved the Jay Treaty, Fisher Ames. These men detested the new political tendencies. "Democracy," said Ames, "is a troubled spirit fated never to rest, and whose dreams, if it sleeps, present only visions of hell." It was Ames who coined the now famous phrase "the wise, the good and the rich." No man knew better than these what needed to be done to preserve the triple alliance of landholders, bankers and merchants, and none had greater influence during the brief period of their party's ascendancy.

(3) Early Finance

To facilitate all this new commercial expansion adequate banking was a necessity. A prime reason why the American trader needed bills of exchange on London was his miscellaneous dealing along the far-flung trade route around the Cape of Good Hope to China. Anywhere along that route, clear to Canton harbor, London bills were accepted as currency. American bills counted for nothing. It was inevitable that Hamilton and all his allies should aim zealously to build up American banking. Our first great banker was Robert Morris. At Philadelphia, the richest city of the time this side the Atlantic, his Bank of North America was founded in 1781. In

1784 Boston capitalists organized the Massachusetts Bank. The same year the Bank of New York appeared. Early in the nineties the Maryland Bank at Baltimore and several New England banks were added to the list. It was to strengthen banking facilities that Hamilton proposed his national bank, that was to be the general financial agent of the government. It was due to the general distrust of money by the populace that the masses at once derided the scheme as a conspiracy to make the rich masters over the poor.

It may appear strange that the landholders at this time were in such close alliance with the traders and the bankers. We shall see presently that the alliance was not permanent; we shall watch the aristocracy of 1796 break into fragments with conflicting interests. For the moment, however, two things explain its apparent success. The great planters of the south had always based their expenditures upon credit. They handled little actual money. Their products were shipped to agents, who disposed of them—generally in London—bought commodities with the proceeds and shipped these commodities to the plantations. By some plan or other the planter must have his product handled for him, and such cash as he needed advanced by some opulent lender. His great possessions made him desirable as a borrower. For a time, after 1789, before unforeseen conditions made their appearance, it seemed quite natural for him to rely upon the traders of New England and the bankers of New York and Philadelphia.

Furthermore, the planter had preserved almost in its original purity the proud tradition of the old aristocratic freedom of the earlier days. The demands of Democratic clubs, their levelling passion, their belief in the French Revolution, seemed to him the voice of anarchy. To such a grandee as Thomas Pinckney, of South Carolina, whom the Federalists wanted to make Vice-President in 1796, the clamor of the Republicans, their denunciation of Washington and all the moneyed class, was sufficient by itself to force him into close alliance with whatever political group stood firm against them. At a time when the Reign of Terror was still fresh in every one's mind, it was not strange that all the temperamental conservatives felt obliged to sink all differences among themselves in a joint effort to hold at bay the American champions of French influence.

(4) Social Luxuriousness

A new standard of living contributed to the urge of the upper classes toward wealth. Those new artistic impulses that appeared at the close of the formative period (page 160) unfolded and were crossed with other influences producing distinctive results in the twenty years following the war. The first crop of matured American architects made their appearance. They revealed in their talent the characteristic American faculty for adaptation, and in their work the response to a growing sense of luxury in the nation's life. Three tendencies animated their endeavor.

(1) The late colonial building, especially the ecclesiastical and public building, was carried on. The beautiful American church spire was perfected in various hands—particularly by Samuel McIntyre, Ithiel Town, and Charles Bulfinch.

(2) The influence of Robert Adam, which was then dominant in England, introduced an exquisite note of gracefulness which these gifted Americans were quick to appreciate and to adapt to local needs. Adam drew his inspiration from the later architecture of imperial Rome, but transformed it delicately by passing it through the medium of his own remarkable talent.

(3) A more directly Roman influence was introduced by Jefferson, who was himself an amateur architect of marked ability, and while in France had become enamoured of such Roman remains as the famed basilica at Nimes, now known as the Maison Carree. He had also become a student of the great renaissance architect, Palladio. The state capitol of Richmond was designed by Jefferson, during his French sojourn, on the bases of the Maison Carree. Subsequently he transformed his house at Monticello in almost pure Palladian style.

The new city of Washington took on a general character of Roman revival. The ground plan was drawn by Robert L'Enfant. All the noted architects of the country competed in designs for the Capitol. The design of William Thornton was accepted. It was later modified by D. H. Latrobe and by Bulfinch. The latter was also the architect of the Boston State House (1798), a monumental design using colonnades and a dome in a way that has similarities to the still more ambitious design at Washington. So high

an architectural authority as Professor Fiske Kimball has said of the Capitol that it formed a new departure in the world's architecture, inasmuch as it combined the Roman revival with a directness of temper and a frankness in expressing the purpose of all its parts that made it peculiar to its own soil.

Beautiful and stately mansions built in the seventeen-nineties are not yet surpassed in American domestic architecture. The houses designed by McIntyre transformed Salem from a plain little port to a city worth an artist's pilgrimage. McIntyre, Bulfinch, and Thornton, together with John McComb, Thomas Hoban, Latrobe, and others, including Jefferson and his pupil Robert Mills, enriched all parts of the Atlantic region with mansions of great beauty. One of the conspicuous departures of the moment was the introduction of the classic portico rising through two stories, which is falsely called "colonial." McComb used it in the "government house" which he designed for the use of the President at New York; Hoban used it in the White House; it became the main feature of numerous country mansions well represented today by such places as Madison's residence, Montpelier, and by the Hampton plantation in South Carolina. In each of the latter instances the splendid new portico was added to a less pretentious colonial house. Washington had set the example by adding the present columned front to Mount Vernon.

The life that was led in these great mansions is pretty faithfully shadowed forth in the innumerable letters and diaries of the time, and in the memories of numerous European travellers. In some of the greatest houses, especially in certain country mansions of the south, where the old tradition was unimpaired, it might have been difficult to detect a change either in the routine of life or in its mental atmosphere. But such establishments were becoming more and more rare. With increasing frequency it was evident that two changes had taken place.

There was a marked increase of interest in Europe. In those days that were beginning to seem so long ago, when Washington was a young man, Europe was a dim place far away that Virginia thought little about. The gay but simple life of the Virginia country houses happened to be very similar to the country life of England, but Virginians did not much concern themselves whether it was or

was not. They lived the way they lived because it was their own way, and that was all there was about it. When Washington was the tired old President of the new republic, Harrison Gray Otis could say without disapprobation that the aristocratic women of the new day "after presentations to the court of George III or Louis XVI transplanted into Philadelphia society the manners of the English aristocracy and the fashions of Paris."

There was also, in most instances, a vast increase in obvious luxury. This was most conspicuous in the houses of the merchant princes. The Oriental trade poured into America silks and porcelains that made the great houses, even in smaller ports like Salem, rich with works of art. The profit of this trade and of all the new moneyed ventures with which it was allied gave expression to the new passion for luxuries that was contagious throughout the upper classes. Writing of Philadelphia when it was the capital the Duc de La Rochefoucauld Liancourt said that at balls "the variety and richness of the dresses did not suffer in comparison with Europe." And this at a time when Europe in its upper classes was mad over wanton luxury.

(5) The Republican Court

All these new conditions focussed at Philadelphia during the ten years (1791-1801) when it was the national capital. European travellers as a rule got an impression of obvious wealth and apparent prosperity in this well-built brick city where the streets generally were shaded by poplar trees and many houses had attractive gardens. To be sure, the rash expenditure of the time was not spent on the workaday portions of the town, the wharves, the commoner sort of shops, or the houses inhabited by the poor. The taverns were not enticing. The "City Tavern," famous for political meetings, had a bad name for the dirtiness of its beds. The "Yellow Cat," where many famous men might be met because of its unrivalled beer and porter, was a place in which no one lodged if he could help it. The fortunate visitor found rooms in some private house. As evidence of abundant money, there were the retail dry-goods shops—the owners of which were generally women, such as Mrs. Jane Taylor, who did business at the Sign of the Golden Lamb—where the new device of the show window was skilfully

used to display the richest sort of feminine attire fresh from London and Paris. The wine merchants did a thriving business. Society professed to be severe judges of wine, and whether truly so or not consumed it in large quantities. Champagne at parties flowed like water; the amount of Madeira drunk at dinners, if reports are true, was amazing. Punch and whiskey were popular. And yet we hear little of drunkenness. Both men and women appear to have been inured to liquor.

What may be called "Society," in the later colloquial sense of the word, was wholly dominated by the new aristocracy. At its centre theoretically were the President and "Lady" Washington. The President believed in social form. He would have liked it if Congress could have been persuaded to describe him as "His Highness, the President of the United States of America and Protector of Their Liberties." He drove in a carriage with four horses and with outriders in livery. On each Tuesday afternoon, while Congress was in session, there was a formal levee at the President's house. On these occasions Washington appeared in black velvet wearing a dress sword. The "drawing rooms" held by "Lady" Washington on Friday nights were less formal, and in these the President wished to be considered as a private gentleman. He gave stately official dinners that were sometimes rather dreary.¹ The truth is, the world was changing around him; he had aged unduly; it seems plain that he was not happy. A great, lonely figure, he stands out in stern relief against the whirling gayety of a new day that had no compunctions about being frivolous.

The society of the new day represented a curious blending of points of view, which were incarnated in types of people that had not discovered one another a generation before. One more evidence of the change, both destructive and constructive, that had come over the whole country since the Revolution began. In this brilliant "Society" of our early republican capital, New England and the south as well as the middle states discovered that their wealthy class at least could meet on common ground socially. The new society

¹ Journal of William Maclay, March 4, 1790: "Dined with the President of the United States. It was a dinner of dignity. All the Senators present and the Vice president. . . . The President seemed to bear in his countenance a settled aspect of melancholy. No cheering ray of convivial sunshine broke through the clouded gloom of settled seriousness. At every interval of eating or drinking, he played on the table with a fork or knife like a drum stick."

was not in the least puritanical; in fact, it was recklessly gay, and many of the social anecdotes that are told at first hand in the letters of the time show a vein of wit that borders upon the ribald, and a cool insinuativeness between men and women that if taken at face value would seem almost licentious. Probably it is not to be taken at face value. Otherwise it would be hard to see how such a beautifully fine woman as Mrs. John Adams could have mixed in this apparently wild society, have been as much a part of it as she was, and have felt as genuine admiration as she did for some of its most reckless members.

Here again Gilbert Stuart is of first importance historically. His portraits of the women who ruled Philadelphia society in the Federalist ascendancy form a brilliant assembly. In features, figure, carriage, expression, in the subtle something that is personal atmosphere, these portraits by themselves would establish the fact of a brilliant moment in American social history.

The central figure was Mrs. William Bingham. Daughter of a great merchant, she married at sixteen; five years of her early married life were spent in Europe in the court circles at Paris, The Hague, and London. It was in London that Mrs. Adams first met her and became her enthusiastic admirer, writing of her as "the dazzling Mrs. Bingham." Returning to Philadelphia, she took possession of a fine new house surrounded by a beautiful garden.

Among the delightful new things that had developed in America in the Revolutionary period was a rage for gardens that should be deliberate works of art. The colonial gardens were expanded and embellished. Italian and French gardens were studied. As a result American gardening made so great a stride as to become a new thing. It is commemorated by some noble monuments, such as Middleton Place in South Carolina that has survived almost unaltered in its pristine loveliness of design. Mrs. Bingham's garden was described in most lavish terms of admiration. The interior of her house led admirers into eulogy, and detractors into envious bitterness.

The social skill of this beautiful and witty woman enabled her to rally the Federalist party—to regiment it, so to speak—with her drawing room as a political centre. She had a real *salon*. In London Mrs. Adams had contrasted her to her advantage with the famous

Georgiana, Duchess of Devonshire, who was second to none in England's long list of brilliant political hostesses.

(6) *Hamilton*

The leader in thought and action of the new commercialized aristocracy was Hamilton. Sprung from humblest origin, a foreigner by birth, he had risen, through sheer brilliancy of mind and character, to a position of influence in his party second only to that of Washington. His marriage into the famous Schuyler family allied him with the old aristocracy, while his policies endeared him to the new. During the eight years following 1796 he fought out against Jefferson perhaps the most momentous political duel in American history.

What Hamilton saw with the insight of genius was the contradictory fact that America both had and had not produced a new community of interest in the course of the Revolution. All parts of the country had come to know each other in a way, but in a restricted way. The representative figures of many localities had touched hands, exchanged ideas, discovered that in spite of marked surface differences they had enough in common—their Americanism—for them to feel that they were really countrymen. But behind them, in their various localities, the masses had not undergone any similar change. They still formed isolated social groups absorbed in their immediate local concerns. To Hamilton, a born architect of politics, this situation presented the question: How can the new but partial fellowship, the fellowship of the leading figures, expand and absorb into itself the still dislocated local groups? and also, this other question: How can the current of general thought pulsating in this new fellowship of the leaders be made to flow through all the minds of all the subordinate groups? He felt these questions passionately. He was eaten up by the determination to answer them. He found answers by drawing together and blending into a social-economic-political program all the constructive tendencies that have been indicated in this chapter: the faith in an "aristocracy with the doors open," the individualistic tradition of the old American freedom, the prevalent belief that it could be preserved through an alliance of landholders, merchants, and bankers; the full perception of the vast new possibilities in foreign trade; the

belief that prosperity would filtrate downward from the upper classes through all the others. Along with these positive beliefs went also negative ones: the lack of sympathy with anything that was socially ugly, intolerance of unsucccess, and a cruel contempt for the mass of mankind.

Hamilton's chief claim to greatness is in the positive part of his attitude, in the powerful imagination that enabled him to behold with the mind's eye the way in which the diffusion of a common economic interest might operate as a vital current through all parts of society, and become the cause eventually of a unity in thought and feeling. His temper was Napoleonic. He was infatuated with the desire to construct politically, on a great scale. To the effort to create a great community in the United States, one that should absorb all inner conflicting communities and mould them into itself, he dedicated his genius.

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CHAPTER XVI

THE ADVENT OF THE PEOPLE

(1) *The Geographical Frontier*

WHILE all the aristocratic and capitalistic elements of the new republic were drifting together, in the temporary unity of the Federalist party, a huge counterweight was being formed in the party of the Republicans. Of first importance in its composition was the influence of the frontier—the actual geographical frontier which comprised the “back country.”

The old time triple division of colonial days (page 137) had not yet passed away; it still lay at the bottom of the social-political fabric and was destined to interweave in a bewildering way with the new division by classes, the new distributions of wealth. The west was now definitely a democratic region with ideals and purposes different from those which were dominant in the east, whether above or below Mason and Dixon's line. It was more conscious than ever before of the difference between itself and the magnates of tidewater.

All these differences had been intensified by the religions of the back country, of the frontier. The time had come when the social effects of the Great Awakening (page 156) were to be made plain. As we have seen, the practical side of its message was an insistence on the democratization of religion. Hanover Presbytery (page 157)—the first great frontier community of the later days—was grounded upon that revolt against the rule of the conservatives in the Presbyterian Church which in no small degree was a revolt of a popular faction against an aristocratic faction. Hanover Presbytery stood also for a persistent denial of the right of the established church to govern the dissenters.

Three other denominations had made their way into the west—Methodists, Baptists, Lutherans. These denominations, like the new-side Presbyterians (page 157) and the Edwardsian wing of the Congregationalists (page 156), had participated in the religious

upheaval that involved Germany, England, and America in Wesley's day (page 153). The Methodist Church was a direct product of that upheaval. The Baptist and Lutheran Churches were deeply affected by it. The latter church became active in America (page 155) when the new religious zeal was at its height. Again, it is to be insisted that what all these religious forces, at this time, had in common was not their formal belief but their practical attitude. Again, it was not their theology but their temper that made them creative influences in American life. All had developed a new view of the mission of religion to the average man, and of the value of the average man to religion. All were fired with a missionary zeal to be the consolers of the common people. And all in America had developed as churches of dissent; all had thus, without set purpose, been compelled to preach religious freedom as the condition of their own existence. The harmony between the personal temper of the frontiersman and the social temper of the Awakening had extended throughout his relations with all these denominations and had steadily grown in strength.

Naturally enough, during the second half of the eighteenth century these dissenting churches had found their most promising fields of expansion in the west. This for two reasons. They were preoccupied with the condition of the poorer classes, and as these classes were looking to the frontier, to the west, as to their land of promise, the west fixed the attention of their spiritual shepherds. Furthermore, in that half century such immigration as came into the country was composed in large part of Scotch or Irish Presbyterians, English dissenters, and German Lutherans. A considerable part of it flowed westward to the frontier.

Of course, it is not meant that the religious groups which had developed a more conservative social temper had turned their faces from the west altogether. Presbyterians of the "Old Side," the aristocratic wing of the Congregationalists, the Anglicans, were all represented, here and there, in the wildest part of the frontier. What is meant is that in the nature of things it was inevitable that the former groups of Christians should be preoccupied with the west, should find in it their immediate opportunity, and should, for a time, be the moulding influence in its thought. And this influence socially—and therefore politically—was all in favor of reducing the

power of government and of denying the sanctity of class. All the phases of liberty that were involved in the issue of the itinerants (page 155) were sown broadcast in the fresh mental soil of the frontier.

It was the itinerant preacher—who was soon to become a type figure under the general term of “circuit rider”—that ministered to the spiritual needs of those forests and lonely spaces and isolated homesteads where the process of welding a new nation was passing into its final stage.

The life of the frontier everywhere had constant features. Except in one or two small areas it was always encompassed by the forest. Not yet had the Americans reached the open prairies of the farther west. In 1796 the little walled towns of the American forest had not wholly disappeared. There was still an Indian menace. It was more remote than a generation earlier. There was a better definition of the line between the Indian country and the non-Indian country, and a broader neutral zone protecting the settlements from rapine. But the menace was still there.

For the most part, as late as 1796, frontier life was still based upon the small relatively isolated farm newly hewn out of the forest. Such farms were strung along the water courses, appropriating bottom land, just as were the farms of the first settlers on the seaboard near two hundred years before. Towns in the west, even as late as the end of the century, were few and very small. In the census of 1800 Lexington, in Kentucky, was given 1789 inhabitants, Pittsburgh 1565, Frankfort 628, Cincinnati 500, Nashville 355.

It has become the fashion among historians to draw the boundary between the frontier region and the rest of the country at the line where population moving westward ceased to be in excess of six to the square mile. The census of 1800 enables us to draw this line, in the words of a noted historian of the frontier, “winding but unbroken from Lake Champlain to the Atlantic Ocean, a little south of the mouth of the Savannah River. Three marked protuberances westward from the general line of the watershed are in middle New York where the Mohawk region was flourishing; in the upper Ohio valley where a great colony covered the borders of Pennsylvania, Virginia, and the Northwest Territory; and in the

uplands of Georgia."¹ There were also islands of denser settlement—two in Kentucky, one in Tennessee. But the rest of that western region between the mountains and the Mississippi had at most but six people to the square mile, and over innumerable miles no inhabitants at all.

A lonely world where the settler had to recreate in himself, whether he would or no, the temper of the Norse hero:

"I trust my sword, I trust my steed,
But most I trust myself at need."

Of actual government there was very little. An effective police with six people to the square mile was inconceivable. Furthermore, there was no money to pay for a police. The frontiersman had almost no resources but his land and his energy. It was hard enough with the aid of credit to compel the energy to extract profit from the soil beyond the bare necessities of life. Such products as he could dispose of were promptly bartered for necessities not extracted from his own land. Ordinarily, he had no balance of money that might be used without hardship to pay taxes. Economy, stress of circumstances, common sense, threw the preservation of his safety and the safety of his family upon himself, upon his personal courage, upon the sureness of his vision along the sights of his rifle.

Under such conditions there could not as yet be any "classes." No matter what the origin of the frontiersman—whether, as most often a poor debtor from the east, or, as sometimes happened, the adventurous younger son of an aristocrat—he was prompt to accept necessity, to make common cause with all other frontiersmen, and to demand a public policy in the interests not of a specific class but of the new community as a whole.

He was quick to see certain differences of interest between frontier and tidewater. Nothing touched him more vitally than the price he would have to pay for the eastern commodities against which he had to barter his farm products. Hence, from the first go, he was keenly suspicious of every eastern attempt to raise prices, of every measure proposed in Congress that seemed to tend that way. A tariff, for example, with its inevitable effect upon prices was sure to be an object of frontier condemnation.

¹ Paxson, *History of the American Frontier*.

Taxation of any sort was bound to inspire in him alarm. If taxation took a course that both depleted his scanty stock of cash and interfered with his instinctive freedom of action, he was at once in arms. The excise (page 289) had roused the whole frontier country for these reasons. The suppression of the Whiskey Insurrection had seemed to the frontiersmen generally an act of despotism. It helped to incline them to the new party whose Democratic clubs were pointed at by Washington as responsible for the insurrection.

The frontier was not necessarily an illiterate region. Long before 1796 it had its own newspapers—*The Pittsburgh Gazette* dated from 1786; *The Kentucky Gazette* (Lexington) from 1787; *The Sentinel of the North West Territory* (Cincinnati) from 1793. These papers disseminated eastern and foreign news. There was also the constant motion over all the face of the land of itinerant preachers and itinerant merchants and agents. Consequently the international political issues, the struggle of monarchy and democracy in France, the war between the Allies and the French Republic, the question where the United States should stand, all this was well understood and passionately argued throughout the lonely land. Almost without dissent these fierce adventurers of the west were for France and democracy, against the Allies and reaction. Almost to a man, in 1796, their eyes were fixed on Jefferson as their leader.

It is also plain that a very considerable portion of the frontiersmen of 1796 had been Anti-Federalists in 1787. Many of them had actually taken part in the attempts to reject the Constitution.

Distrust of the new system, fear that it would be wholly dominated by the moneyed classes of the east, was pretty general west of the mountains.

These considerations explain why it was that all the new western states, during the first thirty years of the Union, as soon as they were admitted promptly became strongholds of the Republican party. It also explains why Vermont (1792) after a little hesitation broke away from New England politically and became for a time a Jeffersonian state. Its conditions of life were practically frontier conditions.

It was in the framing of their local constitutions that the new states most clearly revealed and formulated their political-social creed. Three constitutions, those of Vermont, Kentucky, and Ten-

nessee, were formed before 1796. All established manhood suffrage and did not require more than one year of residence in the state as a qualification for citizenship. Their political thinking was based on the Declaration of Independence and on the Virginia Bill of Rights, which summed up admirably that conception of civil liberty for which practically all of them believed the Revolution had been fought.

(2) The Social Frontier

The frontier was not altogether a place; it was also—to speak paradoxically—a frame of mind. The geographical frontier might be described as the country where men's fortunes were all in the making, where there was equality in disadvantage, with none but individual competition, and no control by commerce and banking except indirectly from far off beyond the horizon. The social frontier was wherever men gathered together, conscious of inequality, seeking a chance at fortune, but in obvious competition with well-organized social power, and therefore tending always to think of their problems in terms of class.

Comparison of the two social attitudes, the two sorts of people as they were in 1796, raises questions that must be recognized but that are difficult to answer dogmatically. Why had not all these discontented ones sought an escape in the west? Is the answer a matter of character? Was there any fundamental difference between the physical adventurers who faced westward and the social adventurers who stayed at home? Were the latter less courageous than the former, or less imaginative, or less original? Was the social frontier tenanted by people easily inflamed but without a high degree of self-confidence, and for that reason easily led?

These are questions of the sort that history has too often dodged. What we now know of our own past forbids confident generalization on this elusive but deeply significant point. But two things must be remembered. (1) As we have seen, a submerged human element ignored by colonial society had been accumulated in America during several generations (pages 145-170). (2) The Revolutionary leaders in their general appeal to the whole population had seemed at least to promise this element as well as others that they would find the end of the rainbow as soon as the Revolution was over.

How natural therefore that everywhere in the east there should be ardent people with hopes newly aroused who were asking angrily whether fortune under the new régime was being distributed impartially to every class. Different as were the local conditions of the lower classes in different states, they had come to have at heart one belief in common—namely, that the opportunities of the time were being appropriated to the aristocrats.

In New England, for example, though Shays's Rebellion seemed ancient history, the undercurrent of discontent was flowing strong; there, as elsewhere, the French Revolution found its echo. While the upper classes, in Boston, were busy denouncing the excesses of the Revolution, the artisans and small business men maintained a vigorous Democratic club, the same sort that Jefferson everywhere encouraged. Similar clubs formed by the same sort of people appeared in other parts of New England, especially in Vermont. Of course, all their members were Republicans.

Characteristic of these New England Republicans was their attitude toward certain refugees that sought safety in America at this time. The revolutionary elements in various parts of Europe were beginning to look to America in the hope that here more completely than in the other countries the liberated populace might find a fresh opportunity. The prospect of receiving a flood of radicals alarmed the Federalists. But the Republicans took a different view. They began to talk of America as the predestined land of promise, the vast, rich country where all the weary might be at rest.

A test case came shortly later than 1796. Unsuccessful rebellion in Ireland in 1798 was a sort of extension of the French Revolution. The Federalist leaders feared greatly the strengthening of the Republican forces by an influx of disappointed revolutionists. The Republicans were eager to receive them. Though the Federalists talked of legislation to exclude the Irish refugees, they were unable to bring it about. Before long the New England Republicans counted among their party organizations "The American Society of United Irishmen."

The revolutionists did not arrive in time to help the Republicans of Massachusetts when, in 1799, they took up the fight against the Federalists for the state offices. Fisher Ames, who stood for the legislature, found that the "common people" were already so well

organized that "the wise, the good, and the rich" were barely able to elect him.

The next year Boston witnessed an ominous division of sentiment. While the Chamber of Commerce, speaking for the upper classes, passed resolutions approving Jay's Treaty, crowds of humbler folk paraded the streets and in condemnation of the treaty burned an effigy of Jay. They looked upon his work as pro-British and anti-French; also as dictated by the interest of the commercial classes. A mob destroyed a British ship lying at anchor.

Vermont, which was to be the first New England state to put Republicans in control, gave an inkling in 1796 of what was soon to come. One of the fiercest of the risen men in the country was Matthew Lyon. He, though not a newcomer, was of Irish origin; his father had been hanged in Ireland on the charge of treason. Vermont now sent Lyon to Congress, where in the next few years he proved to be the most bitter and intemperate of Republican agitators.

No state had been more solidly aristocratic than Connecticut. John Adams wrote of it, shortly after this time, that it had "always been governed by an aristocracy, more decisively than the empire of Great Britain. Half a dozen, or at most a dozen, families have controlled that country when a colony, as well as since it has been a state." The clergy in Connecticut were in close alliance with a small group of rich politicians. Doctor Theodore Dwight, the leading clergyman, was nicknamed "the Pope." Oliver Wolcott, of the same social set as Dwight, was Secretary of the Treasury under Adams. But it was Adams himself who subsequently described the opponents of Dwight and Wolcott as hard-working people who, try as they might in a life of seventy years, could not do more than support a family and lay up perhaps three or four thousand dollars. These poor people of Connecticut found a brilliant voice in Abraham Bishop, who has a place among the great agitators of our past. His attacks upon the rule of "the wise, the good, and the rich," upon the Federalist trade policy, upon the power of the clergy in politics, made him beloved by the masses and hated by the classes. His pamphlet entitled *Oration on the Extent and Power of Political Delusions* was a Republican classic.

The clearest evidence of the swiftly spreading social upheaval in

New England was an action of the Massachusetts Federalists, taken in 1800, to make sure of controlling the state's electoral vote. The Federalists had the legislature. Entirely in the hands of the legislature was the direction of the mode of election. Hitherto it had been by popular vote. The legislature now took the choice of electors away from the people, vested this right in itself, and chose Federalist electors.

But they had their reward. Three years later they were fearful that the legislature of 1804 would show a Republican majority, but believed that if the state were to vote as a whole the Federalist strength in certain regions would roll up a general majority for Federalist electors. Therefore they gave back to the people the right to choose electors. To their horror and amazement they found that they had calculated wrong. The general majority in Massachusetts in 1804 was Republican.

In New York the organization of the forces of discontent was promoted by a feud that developed inside the aristocracy. Hitherto, three great families—Van Rensselaers, Schuylers, and Livingstons—had led their class, and often through their combined influence had dominated politics. A quarrel between the Livingstons and the other two went so far that it created a new political alignment. The anti-Livingston faction had Hamilton, the son-in-law of General Schuyler, for its captain. It read the Livingstons out of the Federalist party. Here was an opportunity which the Republicans promptly seized. Their leader was the astute George Clinton, who had led the Anti-Federalists in 1788 and had missed so narrowly defeating the adoption of the Constitution. Clinton effected a coalition between the party of the masses and the Livingstons. Edward Livingston, who appeared in Congress as a devoted supporter of Jefferson, was one of the most brilliant grandees of that time, which produced many of his sort. He was one more instance—so familiar to historians—of the dissatisfied aristocrat who becomes a leader of the revolted masses.

The compact organization of the New York Republicans was assisted by a transformation which now took place in a curious local society. In the days of the "Sons of Liberty" (page 187) similar societies were sometimes called "Sons of Saint Tammany." They professed to commemorate a fictitious Indian brave in whom

all the heroic virtues were personified. What they were really doing was satirizing royalist societies named for Saint George or Saint Andrew. When the war was over the "Sons of Saint Tammany" in New York were reorganized as a convivial fraternal club. When parties appeared, a political quarrel among its members led to the withdrawal of those who favored federalism. The remainder of the society reorganized on a strictly political basis. Tradition assigns this result to the influence of a rising young politician, destined to prove an unscrupulous man of genius, Aaron Burr. Like Livingston, Burr was a seceding aristocrat seeking power as a leader of the people. The lesson of the committees of correspondence and of all those voluntary societies which engineered the Revolution had been thoroughly learned. Political leaders had also discovered the value of giving to political societies, especially those which were made up of the less affluent people, something of the character of social clubs.¹ This was what was distinctive in the new Tammany society. Jefferson hearing of the society and its workings saw its possibilities as a political instrument, and from that day Tammany was a force in politics.

The issue with which all these struggling radicals were chiefly concerned was at bottom the reality of Hamilton's doctrine of the automatic filtration of prosperity downward. Their immediate experience did not bear the doctrine out. The upper classes were making fortunes through trade. Especially was this true when war set the European nations by the ears and America was the one great neutral carrier. Very little of the trading profits made their way to the pockets of the farmer or the small tradesman or the artisan. In Philadelphia, while Mrs. Bingham and her set were so addicted to luxury, the workingman could barely make ends meet.

It was coming to be generally believed that the interests of farmers and artisans were irreconcilable with those of merchants and bankers. In Pennsylvania especially, where small farmers were so large a part of the population, this idea was more and more insisted upon.

¹ From the journal of William Maclay, May 12, 1790: "This day exhibited a grotesque scene in the street of New York—the Sons of *Tammany* had a grand parade through the town in Indian dress. Delivered a talk at one of the meeting houses and went away to a dinner. There seems to be some kind of scheme laid of erecting some kind of order or society under this denomination but it does not seem well digested as yet."

The majority there, which had been prevented from rejecting the Constitution only through the political skill of the rich minority (page 319), now felt that all their fears were coming true. They were mainly friends of France, because in France they thought they saw their own hopes realized. Their anger against the upper classes was due in no small part to the fact that the new commercial hope was based so largely on friendship with France's enemy, England.

In the south, the small landholders were already in full revolt against the great planters. Even as early as the election of 1796 the plain people, the back country, captured the elections in Virginia and North Carolina. Only aristocratic tidewater in Virginia and a fringe of rich plantation country along the sea in North Carolina, stood fast by the Federalist cause. In the bulk of the people in both states a long grievance against the aristocracy was fired by the new belief that it had allied itself with the rising power of mere money. A dim dread of organized money was beginning to be the potent factor it has been in American life ever since. Then, too, old debts to British merchants that had been outstanding since 1776 might now, it was feared, under Jay's treaty be collected. Honestly believing that these debts had been more than paid by the sufferings of the Revolution, and through the loss of slaves carried off by the British forces, the small landholder of the south felt a bitter grudge against the class and the party that had agreed, as the price of commercial advantage, to compensate foreigners for some at least of these debts, and of course levy taxes to do so.

Perhaps the most interesting instance of the developing social frontier was in South Carolina. Its tidewater region was a stronghold of Federalism. In 1796 it was hard to say whether Boston or Charleston was the more unconditional defender of the Federalist policy. This alliance of the aristocratic class in the two states throws our thoughts back to the deal between Massachusetts and South Carolina in the Constitutional Convention (page 270). It would hardly be fanciful to say that out of that alliance the Federalist party was generated. But in 1796 the aristocratic party had already lost control of South Carolina. As in Virginia and North Carolina, it was only among the great planters, especially on tidewater, that they held their own. In fact, the handwriting on the wall that was a baleful prophecy of the shortness of the Federalist ascendancy was

a local revolution which had taken place less than a year after the new government began. The back country of South Carolina was as entirely a frontier region as Vermont or Kentucky. This was the region to which, in the Revolution, the aristocrats had grudgingly conceded partial representation. In 1790 popular pressure brought about the adoption of a new constitution, followed the next year by the abolition of primogeniture and the removal of the capital from Charleston, where the old order dominated, to what was then the frontier town of Columbia in the midst of the local "west."

Here as in New York a member of the aristocracy saw his chance to become powerful through the leadership of the masses. Charles Pinckney, cousin of Thomas and Charles Cotesworth Pinckney, both uncompromising Federalists, was governor when the new Constitution went into effect. A natural leader of men, with a proud, bold, and original genius, he had also a keen and supple intellect. He saw that the tide was setting toward popular government, that the aristocrats at Charleston would not be able much longer to keep their influence over the masses of the state and also maintain the alliance with New England begun in the Navigation Compromise. The small landowners in Carolina were raising the same cry against the aristocrats that was being raised elsewhere, accusing them of bartering the rights of the people in order that they might enrich themselves through alliance with the new commercial interests.

Pinckney decided to make himself the leader of the masses. He went into it wholeheartedly. Ever since the organization of the new government he had eloquently opposed foreign trade, "the root of our present public distress, the plentiful source from which our future national calamities will flow." Without hesitation and with great ability he led the masses from victory to victory until at last he could write to Jefferson (1800), after his party had been defeated in Charleston but had been successful in the interior of the state, "I suppose this unexpected opposition to my kinsman (Thomas) who has never been opposed here as member (of the legislature) for the city will sever and divide me from him and his brother forever, for the Federalists all charge me with being the sole cause of any opposition in this state. . . . I rejoice our legislature meets 130 or 40 miles from the sea."

(3) Romantic Sociology

Another prime factor in the Republican coalition lifted the movement to the plane of abiding and universal significance. No political movement attains that rank among human endeavors unless it contains a significant ideal of its own. Because the Jeffersonian movement contained a group of thinkers and a body of doctrine not inspired by mere tradition nor by merely personal boldness, nor by class discontent and class ambition, it has a place among great things. The frontier geographically, the frontier socially, and a peculiar phase of idealism formed what we may call the Jeffersonian combination. It was not destined to remain long in the stable equilibrium attained under Jefferson's guidance. We shall see it disintegrate just as we shall see the aristocracy of 1796 disintegrate. The two will go down together like two fierce wrestlers each throttling the other. And out of their mutual defeat the later America will arise. Nevertheless, for a short while, the Jeffersonian combination displayed as one of its attributes a beautiful faith in the possibility of social perfection, a faith that is one of the pathetic nobilities of history.

Jefferson himself was a philosopher even more than a statesman; he was wholly in sympathy with a group of liberal thinkers who on their part saw in his political purposes the hope of social regeneration. That intense enthusiast, Tom Paine, who had gone to France to share in what was to be the beginning of another Golden Age, was in spirit a member of the group. Philip Freneau, the dreamer of the American Revolution, was its poet in America. It drew to this country, as to the land of promise, one of the greatest intellects of the time—none other than the creator of the new chemistry, Priestley—and another man of genius second only to Priestley among the English liberals of his generation, Thomas Cooper, destined to long and notable service as the president of the University of South Carolina. Both Priestley and Cooper deserted their native country and became Americans from an idealistic faith that here was the hope of the future, that here at last perfect social justice was to be achieved. Similar motives led a young Swiss aristocrat, Albert Gallatin, to break with his family and emigrate to America. Like

the English liberals, he believed that he was thus enlisting in the cause of universal freedom, of perfect justice.

To all these, the earliest French revolutionists, especially the Gironde, seemed the heralds of a new day; "liberty, equality, and fraternity" seemed a real and unselfish belief. They were not proletarians fighting for a class. Unlike all the proletarians, then and now, they saw no redemption for mankind in elevating the majority to the position of despot over the minority, in clothing it with the stolen garments of autocracy. Neither did Jefferson. Speaking of the Virginia assembly, he expressed his total disbelief in the sanctity of the mere majority fiat, saying scornfully that "173 despots would surely be as oppressive as one."

All these men had in their hearts dim visions of some new sort of commonwealth in which every one should be given the maximum opportunity to be himself, to make the most of whatever talents he possessed by nature, to be oppressed by no one. Their thinking anticipated Abraham Lincoln, who in some respects was their direct political descendant—though in certain others far removed from them—who looked back to Jefferson as the source of his social, though not his political, beliefs, who said that the prime aim of government was to lift the weights from the shoulders of all men.

It is well to remember how thoroughly certain parts of America and certain social groups had been prepared, during a hundred years and more, for the advent of such a political philosophy. There was the interweaving of religious dissent and political theory in the seventeenth century; the bold individualism of all phases of frontier life; the doctrine of aristocracy with the doors open, paradoxical though this last may seem; the class significance of the Great Awakening; the thinking of men like Wise; all the restrictions upon the powers of rulers developed under the influence of Locke and his school; all the controversy with the crown; all the new-born assertiveness of the rising industrial classes. Here was an intricate criss-cross of motives and aspirations, not wholly consistent one with another, but producing altogether a mental result favorable to the spread of a new social philosophy.

Why then did it not sweep the whole country more immediately and more completely than—as will appear—it did? Three reasons. First, because its implications clashed with the new struggle for

financial self-preservation on the part of the commercial classes: the idealists demanding the sacrifice of any interest that benefitted any class at the cost of another. Second, because it drove against Hamilton's design of a great community eating up and assimilating all inner communities: the idealists being fearful that such a concentration of power would inevitably make for despotism, even for confessed monarchy. Third, because of the new slant, so to speak, given to all the ideas involved by a train of thought peculiar to the time and best summed up by Rousseau in his famous book *The Social Contract*.

Many parts of Rousseau's thought may be traced far back to other sources. It is the atmosphere of his ideas—what we mean by the *slant*—that makes him the prophet of the new day. The romantic movement, as it has come to be called, of which Rousseau is the conspicuous symbol, might be described as a passionate attempt by gifted and sympathetic natures, to account to themselves for the fact that human nature, despite all its faults and drawbacks, had for them an irresistible charm. What they saw of human nature, especially in the hovels of European cities, was often hideous and distorted. Nevertheless they felt within them an irresistible faith that somehow it ought to be beautiful. Rousseau became the prophet of the Romanticists by perfecting a theory that met their spiritual demands. It was the theory that mankind in a state of nature would show none of the ugliness, none of the viciousness, none of the cruel inequalities, so apparent in mankind as it now is; that all these defects are due to the imposition upon mankind of the power of heartless rulers; that we have but to remove despotism, recover universal freedom and equality, and as a consequence the Golden Age will return, mankind will again become universally noble, and life universally beautiful. Such approximately was the peculiar atmosphere in which Rousseau assembled his ideas old and new in *The Social Contract*. It was part of the world-wide drift of thought known as The Romantic Movement.

The Jeffersonian idealists were not all unconditionally of the romantic school of thought, but most of them were close enough to Rousseau intellectually to reflect more or less of his atmosphere, to catch more or less of his tone. Had this train of thought come into America at another time it might have had more general influence.

Unfortunately for its advocates, the coming of Romanticism to America was followed swiftly by the Reign of Terror in France and then came the reaction, the world over, so splendidly summed up in the eloquence of Burke denouncing the execution of Marie Antionette. The result, throughout the American upper classes, was a scornful discrediting of the idea that social differences were due merely to the imposition upon human nature of the power of a ruler. In fierce contradiction of the Romanticists, the Conservatives applauded Hamilton's remark, "Your people, sir, is a great beast."

(4) *Jefferson*

The central figure of the Republican party was in many respects the most gifted man of his time. Jefferson the statesman is but a fraction of Jefferson the human being. Seldom if ever has any American displayed in so many fields genuine talent. Whatever may be thought of his policies, his power of organization puts him in the front rank of political managers. As a reformer, especially when governor of Virginia, he revealed the gift of divination by singling out and effecting just those changes that expressed the genuine cravings of his people. Professor Muzzey shows himself a remarkable observer when he ranks the humanitarian interests of Jefferson as being at least as real to himself as the interests of the statesman—perhaps more real. Fully as engrossing to himself were his interest in art and science. As an architect he has a permanent place. The great quadrangle of the University of Virginia, designed by him late in life, is one of the noble achievements of American art. He played the violin delightfully. His gift for languages enabled him to use French with a delicacy seldom found in one not born to it. He was the first systematic student of what used to be called Anglo-Saxon. For scientific agriculture, for botany, and for paleontology, his enthusiasm amounted to a passion. He read widely almost to the day of his death in philosophy and political science. His philosophy was one of the points of attack used by his enemies. A rejection of revealed religion was characteristic of many of the reformers who joined his party—Paine, Priestley, Cooper, and others—and in this Jefferson was at one with them. Though labelled a deist, he was probably no more heterodox than the aristocratic Unitarians of whom John Adams was a representative. Nevertheless,

the aristocratic party seized upon Jefferson's religion—or, as they said, lack of religion—and used it against him without scruple. The ignorant dependents in the aristocratic party were taught to believe that he was an atheist.

Radical as he was in theory, he led the life of a grandee at his great house, Monticello. There, no less than at Mount Vernon, the spacious old tradition of Virginia country life—the “open house,” constantly overflowing with guests—was richly preserved. If the Federalists at Philadelphia had the most brilliant drawing room America has known, the Republicans at Monticello had the most brilliant country house.

(5) Organizing the Republicans

In 1796, Jefferson was clear in his own mind upon immediate issues. His political support was unequivocal in the west, and it was by the west that his policies must be determined. Also, he had evoked and organized the discontent of the social frontier and it would be necessary to work out policies that would allay that discontent. Nevertheless, though Jefferson was not aiming, as Pinckney was, at class domination, he was wholly convinced that the moneyed classes were certain to be despotic, that their addiction to foreign trade was a source of danger, and that the Romanticists were quite right in being afraid of every sort of large well-organized community as of a possible form of despotism.¹

The profound difference between Hamilton and Jefferson, the difference between the streams of tendency which they symbolized, should now be clear (page 284). The two leaders, the two tendencies, sum up an irreconcilable contrast. On the one hand, the vision of the aggressive commercial state expressing itself boldly, fearless of competition, using commercial pre-eminence as its imperial sceptre both at home and abroad, and as a consequence installing the masters of commerce in the position of governors by stress of

¹ Rousseau, *The Social Contract*, Bk. III, Chap. 4, “. . . How many conditions that are difficult to unite does such a (free) government presuppose! First, a very small state where the people can be readily got together and where each citizen can with ease know all the rest; secondly, great simplicity of manners, to prevent business from multiplying and raising thorny problems; next, a large measure of equality in rank and fortune, without which equality of rights and authority cannot long subsist; lastly, little or no luxury—for luxury either comes of riches or makes them necessary.”

circumstance. On the other hand, the vision of a commonwealth predominantly agricultural, that is chiefly concerned with the development of the average man, that is self-contained, that denies the right of any class to hold a ruling position, and seeks in every way to limit the powers of government and the influence of wealth.

There is a tragedy in Jefferson's situation as a statesman which his biographers have generally disregarded. He was a genuine idealist, and though he used all the arts of the politician, he comforted himself with the belief that they were temporary devices; he felt that he was not setting up a proletarian despotism, that eventually class selfishness would disappear, that he could lead the masses into a noble renunciation of all despotic power.

But the time and the masses were not really with him. During the latter part of his career his hand was steadily forced. Reluctantly he made what he thought was a choice of evils, accepting mass despotism as less wicked on the whole than class despotism. With this clew the development of his party, their gradual transformation between 1796 and 1812, becomes clear. In those years the influences typified by Pinckney gained steadily over those that were truly typified by Jefferson. The ideal of the perfect commonwealth, free from oppression in all parts, was moulded and transformed by class demands, by sectional demands, by temperamental demands, and gradually lost itself among political catchwords.

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SPECIAL TOPICS are indicated in bibliography of chapter XIV.

Classes and Sections

1800-1829

BASIS OF CHAPTERS XVII-XXIII

The opening of Jefferson's administration was characterized by an influx of sceptical opinion both political and religious, and also by growth of the new radical communities in the west. The Republican leaders in Congress encouraged the process of state-building, and as rapidly as possible established western states controlled by their own party. This was made possible by the migration westward of much of the radical element in the east. At the same time the eastern Republicans became for the moment so influential that as a counter-stroke conservatism put forth its full strength attempting to revive the Federalist party. Intellectually this revival produced a movement against sceptical opinion known as the Second Awakening; politically, it inspired opposition to Jefferson's inclination to build up the west.

His first great achievement was the purchase of Louisiana, which so alarmed the easterners that only the strong influence of Hamilton checked an attempt to dissolve the Union and form a northeastern Confederacy.

The depredations of the piratical states of northwest Africa led to a series of small wars, and these were followed by a long bickering with England over the attempt of the United States to stand neutral in the world war with Napoleon. The impressment of American seamen by the British navy, armed clashes with British ships, and the attempt to bring the Europeans to terms by an embargo on American exports, especially food, led at last to the War of 1812. Meanwhile, the northeastern Federalists had become violent enemies of the war policy, while a group of young statesmen called the War Hawks were its violent defenders.

The return of peace, after a futile war, found the country in a desperate condition. New industries that had been artificially stimulated during the war were threatened with destruction. To save them from European competition a protective tariff was set up. The second Bank of the United States was chartered.

Foreign relations entered a new stage through several treaties. Spain was induced to cede Florida. The boundary of the Louisiana cession was defined. The Oregon country, claimed by both England and the United States, was brought, temporarily, under the joint administration of the two powers. American colonies were formed in Texas. A great whale trade was developed by Americans in the Pacific with headquarters at Hawaii. Finally, the Monroe Doctrine formed a warning to European powers not to attempt further colonization in the western hemisphere.

Within the country, among its many problems, a leading place was taken by the questions which involved the nature and powers of the central government. A series of decisions by John Marshall, the Chief Justice, culminated

in the famous case of *McCulloch vs. Maryland*. On these decisions was based the idea that the Union was not created by a compact among the states, but was the political expression of a nation inhabiting those states.

In the same year with *McCulloch vs. Maryland*, a collapse of business produced the panic of 1819. Recent milling enterprises, the American extension of the industrial revolution of England, were unable to furnish Labor with employment abundant in quantity and adequate in remuneration. The tariff was injected into politics as a possible solution. An agitation resulted which entwined itself with class and sectional interests, especially the new cotton industry of the south and the shipping industry of New England, and after furious controversy produced the Tariff of Abominations of 1828.

Meanwhile it was evident that new social and intellectual forces were astir in the land. Slavery had become a subject of bitter dispute and sectionalism had taken form. A landmark in both respects was the Missouri Compromise. Literature, in the hands of Irving, satirized social life, and Cooper made it the vehicle for a glorification of the frontier. Noah Webster compiled his dictionary; Poe and Bryant began their careers; and radical enthusiasts issued the first labor paper in America.

Another group of supreme court decisions followed 1819, and still further defined the predominance of the central government over the states. Out of all this turmoil came a popular upheaval that elected Jackson president.

Chronology:

- 1800. Radical population gathering in the west.
- 1801. War with Tripoli.
- 1803. Louisiana acquired.
South Carolina opens its ports to slave trade.
- 1804. Slavery abolished north of Delaware.
New England on the verge of secession.
- 1805. Harvard becomes Unitarian.
- 1806. Berlin Decree.
- 1806. First Non-importation Act.
- 1807. The first steamboat.
The embargo.
- 1808. Madison elected President.
Irving publishes *Knickerbocker*.
- 1809. Great increase in cotton manufacture.
United States *vs.* Peters: supremacy of Federal law.
- 1810. Board of Foreign Missions organized.
Macon's Bill No. 2.
- 1811. War Hawks in Congress.
Importation of Merino sheep.
Fletcher *vs.* Peck.
- 1812-1815. War of 1812.
- 1814. First power loom in America.
- 1816. Tariff Act.
Second Bank of the United States.
- 1817. Erie Canal begun.
Boundary agreement with Canada.
- 1818. Oregon Compromise.

- 1819. Panic.
- 1819. Spain cedes Florida.
 - Boundaries of Louisiana cession determined.
 - Missionaries active in Hawaii.
 - Pacific whale trade flourishes.
 - McCulloch *vs.* Maryland.
- 1820. Missouri Compromise.
- 1821. Virtually general suffrage in New York.
 - American colonies in Texas.
- 1823. The Monroe Doctrine.
 - Cooper publishes *The Pioneer*.
- 1824. The south demands free trade.
 - Gibbons *vs.* Ogden.
- 1825. University of Virginia established.
- 1827. Poe appears.
- 1828. Bryant editor of *Evening Post*.
 - Webster's Dictionary.
 - Definite labor movement in politics.
 - Tariff of Abominations.
 - Election of Jackson.
 - Calhoun answers Marshall in the South Carolina Exposition.

CHAPTER XVII

THE REVOLUTION OF 1800

(1) The Federalists Against France

IN the first eight years of the new government it had been demonstrated that the social rancors which underlay the fight over the Constitution had not passed away; also, that a mighty power to influence the life of every one was lodged in the central government; also, that the eastern masses and the western frontiersmen were possessed by a belief that this power was being used to favor the moneyed classes. In the next eight years this popular belief succeeded in shattering the Federalist party; incidental to the "Revolution of 1800"—as Jefferson called the downfall of his enemies—the furious class issues of 1796, though they did not disappear, were shunted, so to speak, onto a different track, and began to merge into sectional issues. How this happened will presently appear.

The duel to the death of the two social-political groups began in a matter of foreign relations. When Jay was negotiating his treaty, James Monroe was our minister at Paris. Though holding office under Washington, he was an extreme Republican; also, he was of a rash disposition. He had gone so far as to appear before the Revolutionary convention and talk as if he were one of them, virtually promising that the United States might be counted on as a French ally. When rumor of Jay's agreement with England reached Paris, Monroe assured his revolutionary friends that there was nothing in it. When the truth became known, he urged them to be patient, saying that the Republicans would carry the next election and all would be well from the French point of view. Washington recalled him and dismissed him from office.

The French, ill-informed upon American conditions and the American temper, thought to browbeat the Americans by plundering their ships upon the high seas. They gave as an excuse the acquiescence of the Americans, as a result of Jay's treaty, in British extensions of the law of contraband. American provision ships destined for the Continent were captured by the British navy and their cargoes

appropriated—and paid for—by the British government. To make the Americans smart for this, France loosed a swarm of privateers upon American commerce. The Directory, now in control of France, virtually ordered Monroe's successor, C. C. Pinckney, to quit the country—which he did.

The adjustment of this difficult situation was entrusted by President Adams, the year of his inauguration, to a commission composed of Pinckney, John Marshall, and Elbridge Gerry. On their arrival in France (October, 1797) they were treated with insolent neglect, refused an official reception by the Directory, and at length informed that their only course if they wanted to accomplish anything was to line the pockets of the Directors. This proposal so outraged the Americans that they broke off the negotiations. Pinckney angrily exclaimed, "No, no, not a sixpence"—a remark that grew in literary quality, under quotation, until it became the now famous, "Millions for defense, not one cent for tribute."

The incident has come to be known as the X, Y, Z affair because in making public the report of the commission President Adams did not give the names of the agents of the Directory but replaced them by the letters X, Y, Z. He said to Congress (April 3, 1798), "I will never send another minister to France without assurance that he will be received, respected, and honored as the representative of a free, powerful, and independent nation."

There followed on the seas what is sometimes called "The Naval War of 1798." Many sharp fights took place between French and American privateers, and one famous engagement between ships of war.

An American who deserves a place in our national memory is Joshua Humphreys, designer of ships. Several years before this he had invented a strikingly new type of ship's hull. Congress had ordered three frigates built on his model—the *United States*, the famous *Constellation*, and the still more famous *Constitution*, nicknamed *Old Ironsides*. A spasm of economy had checked work on the ships and they were still on the ways in 1798. Incensed at the action of the French, Congress ordered the completion of the frigates (July, 1798). It also created the Department of the Navy, and Benjamin Stoddart became its first secretary. He applied himself with efficient energy to completing the new ships.

On February 9, 1799, took place the first naval victory of the independent American Republic. A French corvette, *L'Insurgent*, had had a merry time roaming the seas and seizing American merchantmen. Commodore Truxtun, in the *Constellation*, overhauled *L'Insurgent* and after a rousing fight of an hour and a quarter, the French captain struck his flag. The Americans not only had the finest type of ship in the world—thanks to Humphreys—but they had, also, wonderful accuracy of fire. This was due in part to the superior steadiness of the new form of hull which Humphreys had developed. Though formal war was never declared, sea fights continued during two years, most of them advantageous to the Americans.

The Directory did not want a real war with the United States. Even before the *Constellation* showed what Americans could do, they had been persuaded to change front. Their Secretary of Foreign Affairs was Talleyrand, not yet famous, but as shrewd and farsighted as ever he was. He had visited America, and now concluded that the browbeating policy would not work. Ruefully the disappointed Directors consented to let him have his way. Tortuous negotiations, overlapping the Revolution of Brumaire (November 9, 1799) and the rise of Bonaparte as First Consul, terminated in a French-American treaty (September 30, 1800). The old treaty of 1778 was finally abolished; amicable relations were restored; and while no compensation was made for American losses in the unofficial war, the ships of each nation then held by the other were restored.

(2) *The Alien and Sedition Acts*

So much for the international aspect of this episode. Far more important was its domestic aspect.

When the X, Y, Z affair became public property, the country went wild. Even before then the insolent attitude of the Directory, in their treatment of Pinckney, had stirred deep indignation. War talk had been heard. Following the President's message exposing the affair, there was something like a war fever. Every public meeting, every theatrical performance, was likely to be converted into a patriotic demonstration. Joseph Hopkinson wrote a new song "Hail, Columbia" to go to the popular air of the "President's March." The

night it was sung for the first time in a Philadelphia theatre there was almost a riot of enthusiasm.

Jefferson, despite his French sympathies, refrained from criticism of the government. His followers were not always as discreet. That uproarious scene at the first singing of "Hail, Columbia" was described in a famous Republican newspaper, *The Aurora*, as a disgraceful exhibition of pro-British sentiment got up by foreign merchants and "Congressional Tories." Other Republicans quite lost their heads. In New York the reckless bitterness of the moment produced a notorious duel. Brockholst Livingston derided an administration orator; he was caned by the latter in public; in retaliation Livingston challenged him, and killed him.

The extreme pro-French spirit of these violent Republicans offended moderate Republicans. A number of such in Congress deserted their comrades and joined the forces of the administration. For the moment the latter seemed irresistible. While the war fever was in full tide, they provided for the organization of an army. Washington was made the nominal commander-in-chief. But the actual commander was to be the second in rank, Hamilton. There were to be two other generals, Knox and C. C. Pinckney.

And now the Federalists took their turn at losing their heads. They passed a series of laws, all of which were ill-timed and two of which have been aptly called "tremendous statutes." They are among the most extraordinary ever enacted in America. As a consequence of this fatuous legislation the tide of popular feeling, which had swept the moderate Republicans temporarily into the Federalist ranks, turned against them and produced their overthrow.

(1) A Naturalization Act repealed an earlier law which permitted a foreigner to become an American citizen after five years' residence in this country, and fixed the required period at fourteen years. As this law was enacted when the Federalist alarm over incoming revolutionists who would side with the Republicans was acute (page 318), it is impossible not to see a connection. The Republicans, when they got their innings, promptly repealed this law (1802).

(2) An Act concerning Aliens—the first of the two "tremendous statutes"—vested in the President for a period of two years absolute power to order out of the country any alien he deemed undesirable.

(3) An additional Alien Act gave the President similar powers

indefinitely, but restricted their exercise to a time of war (which theoretically did not then exist).

(4) The Sedition Act, the second of the two "tremendous statutes," made liable to fine and imprisonment any one who should participate in any combination or conspiracy to obstruct any measure of the government, or who should utter any false, scandalous, or malicious writing against the government, Congress, or President of the United States. It was to remain in force until the expiration of Adams's term.

(5) The fifth of these unpopular measures was a Direct Tax Law, of which presently.

(3) *The Virginia and Kentucky Resolutions*

The result of this rash legislation was a war of words between the classes which caused excitable people in both orders to cry out that actual class war was imminent. We can now see that the acuteness of the crisis was more or less imaginary, but unfortunately the participants did not see that, and took their fears as seriously as if the worst were already at hand. Emotion was everywhere whipped up by the newspapers. A ruthless temper which characterized the time, also partisan violence, were shamelessly displayed. The most conspicuous Federalist organs were *The Gazette of the United States*,¹ edited by John Fenno, and *Porcupine's Gazette*, edited by the brilliant but erratic Englishman, William Cobbett, who had made a name as a biting pamphleteer over the signature of Peter Porcupine. The most noted papers on the other side were *The Aurora* (formerly *The General Advertiser*), edited at first by that relentless enemy of Washington, Benjamin Franklin Bache, and, after his death (1798), by an American adventurer, William Duane, who was even more picturesque than his rival, Cobbett. The venom spewed out by these publications was beyond words for lack of manners and lack of mental poise. Every American of that day, whenever he looked into his newspaper, found such language as the description of Matthew Lyon (page 319) by *The Gazette of the United States* as a "despicable, cringing, fawning puppy" (January 2, 1799), or

¹ Not to be confused with the Jeffersonian organ, *The National Gazette*, edited by Freneau, which ceased publication in 1793, during a yellow-fever epidemic at Philadelphia.

Porcupine's amicable remarks upon "the white-livered, black-hearted thing, Bache, that public pest and bane of decency" (August 4, 1797). Everywhere, in newspapers and speeches and pamphlets, there is a bitter note of class feeling. James Lyon, the son of Matthew, began a periodical called *The Scourge of Aristocracy*.

To their everlasting credit, the two great class leaders, Hamilton and Jefferson, refrained from these disgraceful practices, and did what they could to restrain their followers. The Sedition Act would have been still more severe had it not been for the intervention of Hamilton. He cautioned his party not to "establish a tyranny." "Energy," said he, "is a very different thing from violence." "Anything like force," wrote Jefferson, when insurrection seemed to be in the air, "would check the progress of public opinion."

The philosopher—almost, one might say, the conservative—that was in Jefferson along with his radical politics manifested itself at the height of the crisis. A confessed class war, either of words or arms, was the last thing he wanted. The attitude he took committed him to negative measures and led him to think of the situation not as an opportunity to organize the masses for a battle with the classes, but in the far less spectacular form of an effort to establish some sort of check upon excessive legislation. He cast about him to find some sort of veto upon the power of a despotic party controlling the central government. What seemed to him a solution was reached by falling back upon history and invoking that jealous spirit of independence which had characterized the states before the Revolution. No one needed to be told that this spirit was as vigorous as ever. It had been manifested but a few years before in protests against a decision of the Supreme Court in the case of *Chisholm vs. Georgia*. The court asserted that under the Constitution a state could be sued by a citizen of another state. The outcry produced by this decision had brought about the Eleventh Amendment to the Constitution which forbade such suits. The amendment had but just now (1798) gone into force. The discussion which preceded it was still fresh in the popular mind.

What Jefferson, the constitutional philosopher, now proposed to do was to revive in a limited way that idea of government by unanimity which obtained in the old Confederation (page 245). In the summer of 1798 conferences at Monticello were the source of two

sets of resolutions, both inspired by Jefferson but written by Madison, and adopted before the end of the year, the one by the legislature of Kentucky, the other by the legislature of Virginia. In both, the central idea was the establishment of a veto upon Federal legislation of a sort not described in the Constitution. Applying the same reasoning that he had previously used in the controversy over implied powers (page 282), Jefferson argued that the central government could be held to account by the state governments for its use of powers entrusted to it, and therefore that in the state governments could be found the necessary veto power by which a reckless majority at Washington might be restrained. The resolutions invited all the states to take action. After reaching the theory that the Union had been formed by a "compact" among the states, the Virginia Resolutions asserted "that in case of a deliberate, palpable, and dangerous exercise of . . . powers not granted by the said compact, the states, who are parties thereto, have the right and are in duty bound to interfere for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them." Kentucky in supplemental resolutions applied to this idea of state veto the term "nullification."

(4) The Fall of the Federalists

However, the time was not in a humor for constitutional speculation, and the resolutions, though discussed by several state legislatures, produced no general effect. The influences turning the tide back in opposition to the Federalists were chiefly of their own making.

To take them in order:

The Naturalization Act was a palpable blow both at the idealism and at the interests of those radicals who wanted to admit the revolutionary foreigners (page 318). The Irish Revolution had failed. Should the revolutionists in English prisons be allowed to come to America? Rufus King, the American minister at London, was using all his influence to impede the movement of Irish radicals to the United States, and even prevailed upon the British Government to delay releasing the leaders from prison. To Republican idealism the opening of prison doors was an issue in their struggle with the Federalists; to the Republican sense of political interest the Natu-

ralization Act was an attempt to keep imported radicals from increasing the voting strength of the Republican organization. Here was an issue that appealed equally to the social frontier with its distrust of the aristocrats, and to the geographical frontier with its ardent belief in individual freedom.

As to the Alien Acts, they were never enforced. Nevertheless, they produced a panic among resident foreigners, and several fled the country.

The course of the government under the Sedition Act aroused to fury both sorts of frontiersmen and also every philosophic liberal (page 324). Whether through panic—in real dread of a revolution—or through wanton contempt of their enemies, the Federalists carried through a number of prosecutions under this terrible law, and secured several convictions. Their sense of humor deserted them. One case has become a famous joke. A poor dunce was punished for regretting that the wad of a cannon fired at a salute had not struck President Adams in the seat of his breeches. Strategic mistakes of the first order, uniting all their enemies in a chorus of angry derision, were such matters as the fine and imprisonment of Matthew Lyon for his publications against the government. While in prison he was re-elected to Congress. Senator Mason of Virginia came north to help pay his fine. When he was released the ovation in his honor formed a procession twelve miles long.

It must be admitted that Lyon had gone pretty far in opposition to the government. But this was not true of the most distinguished victim of the Sedition Law. Thomas Cooper had criticized the President's policy in a way that only an absolute monarchy can safely brand "seditious." Nevertheless, he was arrested, fined a thousand dollars, and imprisoned for four months.

In the last of the five measures cited, the Federalists had given their enemies a chance to accuse them of sectionalism. Their program was to be paid for by direct taxes on land, houses and slaves. The latter item made the trouble. By this time the southern wing of the party had shrunk altogether to a small group of magnates in the tidewater region of Virginia and the two Carolinas—men too rich to bother much about taxation. They could bear the slave tax without hardship and were willing to do so as an offset to the tax on houses which fell heavily on the northern cities. The small plant-

ers of the south resented the slave tax. That skillful propagandist, Charles Pinckney, seized this opportunity, and eloquently described Federalist policy as a sectional program favorable to the northeast and oppressive to the south. "Mr. Adams," said he, "owning, as he does, a large estate in stock, shall not pay for his stock a shilling, while Mr. Jefferson, *whose whole estate is in land and negroes*, will have to pay a heavy tax." Pinckney made his point with the crowd in the south. In the election of 1800 every southern—as well as every western—state went overwhelmingly Republican. From that time the southern Federalists were a mere corporal's guard of "standpatters." Before long we shall see these stand-pat grandees forced by stress of circumstance to part company with the corresponding group in the north, and later to regain control in their section by accepting the accomplished fact, and becoming the best exponents not of a new class policy but a new sectional policy.

Meanwhile, though their typical exponent, C. C. Pinckney, was nominated for vice-president along with Adams, he was powerless as an offset to his cousin Charles. His position as one of the generals of the new army did not help. The army—militarism—was another object of attack, assailed by every Republican newspaper with furious ardor.

And now Adams himself, in the most meritorious action of his career, played straight into the hands of his enemies. The tide was turning so rapidly that if the Federalists had any chance at all it was only in exploiting the war spirit to the limit. This Hamilton and his particular friends, including Pickering, Secretary of State, were eager to do. Apparently Hamilton planned a war of spoliation, or at least of commercial domination, against Spain, aiming perhaps at the seizure of Louisiana. The Spanish-American revolutionist, Miranda, was in correspondence with the hotheads of the war party. Miranda's dream was a general rebellion of the Spanish colonies. The Hamiltonian wing of the Federalists warned Adams that it was life or death for their party to encourage war. An issue came when Adams decided to accept the overtures of Talleyrand and send a minister to France. The quarrel within the party became so bitter that Adams dismissed Pickering and replaced him by John Marshall (May, 1800), a staunch Federalist, but who had not approved of the Alien and Sedition Laws, and who applauded the

brave announcement of the President that he sought only honorable relations with France and could never countenance preventable war. It was Marshall as Secretary of State who completed the negotiations for the new French treaty.

The prophecies of the militaristic Federalists and the hopes of the Republicans were entirely fulfilled. Though the Federalists kept their hold on all the New England states, including Vermont, they lost every other except New Jersey and Delaware, Jefferson was elected President with Aaron Burr as vice-president.

(5) Jeffersonian Simplicity

The inauguration took place in the raw, unfinished little town of Washington, on the Potomac, to which the capital had been removed. The ceremonies were ostentatiously simple. The new President at once took a conciliatory attitude toward his political enemies. Making a double play upon words he said, "We are all Republicans, we are all Federalists." His inaugural address promised the country a just and unaggressive administration, economy, and a fair division of the public offices between the two parties. Madison was made Secretary of State; Gallatin (page 324), whose fine mind had gradually raised him to leadership in his party, became Secretary of the Treasury.

Simplicity and economy were the watchwords of the new administration. Jefferson had gone on foot to his inauguration. He made an end of the coach-and-four—or six—which his predecessors had used. Instead, he set the example of riding about Washington on horseback unattended. An innovation which he introduced was the written message to Congress in place of the spoken address used by Washington and Adams. The message continued in use until President Wilson revived the address, more than a hundred years later.

The army was promptly reduced to a few hundred men. The splendid new ships of the navy were laid up. The hated excise tax (page 289) and the new direct taxes were abolished. Gallatin drew up a comprehensive scheme of retrenchment through which, despite cutting off these taxes, all the remaining debt of the federation might be paid off inside sixteen years. The old period of five years for naturalization was restored.

(6) Three New Principles

Far more important than anything of this sort were three events which continued and brought to an end the contest over governmental tendencies which Jefferson had in mind when he spoke, a little loosely, of "The Revolution of 1800." Each of the three added another item to that list of explanatory practices, sometimes congealed into statutes, sometimes left afloat in men's minds, which we label the "tradition" of the government (page 280).

(1) The first grew out of a piece of sharp practice in the election for President. In 1800, it was still the understanding that the candidate receiving the second highest vote should be vice-president. Every elector cast two votes. In 1796 this custom gave the presidency to one party, the vice-presidency to the other. To prevent this the party leaders in 1800 held caucuses and agreed upon candidates.

The gathering of party leaders in a caucus was the beginning of machine politics in the United States. The earliest caucuses were informal and secret, with no definition of membership. In 1804 the Republicans openly called together all the members of their party in Congress for the purpose of renominating Jefferson. The "Congressional caucus" was the recognized mode of nomination for the presidency in both parties until after the election of 1816. It was opposed by many politicians, not in the inner party circle, and nicknamed "King Caucus." In 1824 it gave way to nomination by state legislatures, which was finally succeeded by the national party conventions in 1832.

Every Republican elector, in 1900, voted for the same two names. Consequently, no one had a majority, and the election, as required by the Constitution, went to the House of Representatives. In electing a President the House votes by states. The Republicans controlled eight state delegations out of sixteen, the Federalists six, and two were equally divided. Consequently, as long as the Federalists voted solid it was impossible to get a majority unless the Republicans gave way. Many ballots were taken without a change. Hamilton then came to the rescue. Though uncompromisingly Jefferson's enemy, he believed that he would do just what he did do, "pursue a tem-

porizing rather than a violent policy," and he was convinced that Burr was an unscrupulous demagogue. His influence broke the deadlock and elected Jefferson. Out of this strange incident grew a general demand for a change in the system of election. The result was the Twelfth Amendment to the Constitution providing for a double vote, and requiring each elector to specify his choice for vice-president.

(2) The victorious Republicans at once attacked the courts. Attempts were made to remove by impeachment both state and federal judges who had rendered themselves obnoxious by their severe enforcement of the Sedition Law. In few cases was the attempt successful. The bar of the country irrespective of party threw all its great influence against the idea that courts should be made over by a victorious political party to suit its views.

The most noted of these impeachments was that of Judge Samuel Chase of the Supreme Court. It was Chase who had sent Cooper to prison. The Republicans compared him to that immortal disgrace of the English judiciary, Lord Jeffreys. Chase was in the habit of mixing political opinions with his charges to the jury. He was impeached by the House on charges of "oppressive conduct" in trials under the Sedition Act, for browbeating a jury into a false verdict, and for uttering from the bench "an intemperate and inflammatory political harangue." After a long trial the Senate cleared him. Nevertheless, this was the definite beginning of our fixed tradition that judges must not mix law and politics in their charges; that while judges were to be secure against the fluctuations of popular caprice, they have to be content, in the words of Professor Corwin, to "dispense with all judicial homilies on manners and morals."

(3) There remains the most remarkable event of the three. It opens a long duel in Constitutional influence of two great men—Thomas Jefferson and John Marshall. The latter had become chief justice (February 4, 1801) and had administered the oath of office to Jefferson. The two men were cousins, the mother of each having been a Randolph—a stock that has produced an extraordinary amount of genius. Nevertheless, temperamentally, mentally, in every way, they were irreconcilable. If there is a blot on Marshall's otherwise noble fairness, it is his rooted belief that Jefferson was unable to tell the truth. If Jefferson was ever wholly unjust, it was

in his conviction that Marshall was an instrument of despotism.

The first Constitutional decision rendered by Marshall as chief justice grew out of a Judiciary Act passed by the outgoing Federalists (February 13, 1801) for the purpose of securing to themselves control of the federal judiciary. The act created sixteen new judgeships. It was promptly repealed by the Republicans. New judges appointed by Adams lost their places. But that did not end the matter. The discussion in Congress over the repeal brought to a head Constitutional issues that had been simmering ever since 1789.

We have seen how Jefferson took a hand in Constitutional discussion promulgating his resolutions of the year 1798.

The antithesis to these resolutions was the legal opinion which Marshall now promulgated. In a way, it harks back to the colonial time and brings to mind the ancient function of Privy Council as Supreme Court of the Colonies (page 128). The Revolution in certain respects broke the continuity of American institutions (page 236) but the continuity had been partially restored when the system of double allegiance, state and federal, so familiar to colonial times (page 265), was re-established in 1789. But the old and deep laid conception of fundamental law (page 128) and of a court possessing the right to review legislation and pronounce on its validity, had not certainly been restored. John Marshall believed with his whole soul that both of these conceptions were essential to the preservation of the new federal republic. In advocating the adoption of the Constitution in 1787 he had boldly asserted as a condition of its success the doctrine of judicial review. This meant that the federal Union, through its own Supreme Court, should be the judge of the validity of the acts of its federal legislature. Jefferson, in 1798, brought forward the idea that the states had reserved a veto on the federal government; Marshall declared that such doctrine would "sap the foundations of our Union."

Such was the background of Marshall's thought when a certain Marbury brought suit against the Secretary of State to compel the delivery to Marbury of a commission as justice of the peace in the District of Columbia, said to have been made out by Adams during the last night of his presidency and left on his desk for his successor to carry out. This was one of several "midnight appointments," as they were called, made by Adams just as he was leaving the White

House. Jefferson had ordered Madison not to deliver the commission to Marbury.

The Supreme Court came finally to the conclusion that for technical legal reasons the case must be dismissed. Marbury did not get his commission.

The case gave Marshall an opportunity to draw out at length and lay formally before the whole country the two ideas, fundamental law and judicial review. He was a master of clear and impressive statement. This famous opinion, in which all the other justices concurred, described the Constitution as the fundamental law of the American union unalterable by Congress, and the Supreme Court as the one body which because of its power of judicial review over national legislation could interpret the fundamental law and decide whether a statute was in accord with it and valid, or not in accord with it and therefore invalid. Perhaps no other single item of equal importance was ever added to governmental tradition of the federal union.

It may be asked, in concluding this chapter, "Just what did Jefferson mean when he called the complex episode we have now reviewed 'the Revolution of 1800'? It is plain that he had not won an unconditional victory. It is plain, also, that no social upheaval had taken place. Nevertheless, what he meant is tolerably certain. He felt that in spite of the continuing vigor of all the groups and classes he had opposed, none of whom he regarded as enemies, his victory made it certain that as time went on, the people as a whole, not any privileged class, would with increasing authority dictate the policies of the government.

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CHAPTER XVIII

THE DAY OF THE WAR HAWKS

(1) *The Admission of Ohio*

THE main effects of the events of 1789-1801 were (1) to localize the trading interests in the northeast and (2) at the same time to bring into power a party unsympathetic with the activities of the commercial classes. We are now to see how this party served the purposes of the agrarian classes, south and west, and laid the basis of a sharp division between them and the commercialists.

On the seaboard the purely economic expansion during these years had been paralleled by the growth of an expansive temper south and west, with ideals and objectives widely different. Three of its characteristics deeply affected history. These were its distrust of the traders, its land hunger, and its love of combat. The latter especially has not had sufficient recognition. The west was formed in an atmosphere of personal danger; war was ever at the back of its thoughts, and gave to its nervous system the same exuberant relief that it gave to the nervous system of the Middle Ages.

It is the geographical frontier that is now the one to reflect upon. It formed a huge democratic crescent with one tip in Vermont, the other in Georgia; it included the back country of South Carolina and also western New York. The confidence of this region in itself and in democracy received a powerful stimulus from the overthrow of the party identified with the east and with capital. Its allies, the non-aristocratic classes of the social frontier in the east itself, shared its joyous self-confidence and its determination to rule. In the years between 1800 and 1812 the Republican party built up its power through frank acceptance of the frontier as a major part of its field of opportunity. The drift of population westward was becoming more and more rapid.

The great institution of the census was promptly established by the federal government and made its first survey of the country in 1790, its second in 1800. Its tables show that the total population increased, those ten years, from 3,929,214 to 5,308,483. During that time there were significant changes in the population of various regions. New England was practically stationary, 1,009,408 in 1790, 1,233,011 in 1800. On the other hand the middle Atlantic states rose from 958,632 to 1,402,565, while the south Atlantic states did nearly as well, changing their numbers from 1,851,806 to 2,286,494. The southwest—the region that now comprises Kentucky, Tennessee, Alabama, and Mississippi—tripled its population: 109,368 in 1790; 335,407 in 1800. For the Northwest Territory in 1790 there are no figures, but in 1800 the population was 51,006. Three western states make the story still more emphatic. Kentucky, which ranked fourteenth in population in 1790 with 73,677, was seventh ten years later and included 220,955. Tennessee had risen from seventeenth to fifteenth, changing its numbers from 35,691 to 105,602. Ohio, while not yet a state, in 1800 contained 45,365, though ten years before it had been a wilderness. Only three states kept the same population rank in the two censuses—Virginia first, Pennsylvania second, and Connecticut eighth. Every other New England state dropped down the scale. As immigration from Europe was almost negligible during this decade, as the changes of local population were due practically altogether to natural increase or to change of residence, the conclusion is obvious. The United States contained a vast eddying swirl of population drifting southward and westward.

It is not strange that during this period some regions of the northeast that were radical at the start were conservative at the close. The adventurous radical elements had gone south or west. This process continued still more rapidly during the decade we are now to observe. For example, that portion of Massachusetts which was the heart of Shays's rebellion became in time a stronghold of the Federalists—one of their last strongholds.

One of the clews to the period 1800–1812 is that dread of the west in the minds of easterners which had produced the sinister prophecies of the Constitutional Convention (page 269). The Federalists became the voice of this fear. On the other hand the Republicans were determined to ignore it, to do just what the conservatives of 1787 were afraid the radicals would eventually do, bring in western states as fast as possible—provided they were safely Republican. The Federalists had aimed to reduce Republican strength by preventing immigration; the Republicans struck back by augmenting the number of states.

Ohio was the first bone of contention. Before Jefferson was elected, the beginning of the end of Federalist power was their defeat in a controversy over the division of the Northwest Territory. The Republicans wished to lay off in one block all the area that contained important settlements, because by so doing, they could quickly organize a new state with the 60,000 population required by the Ordinance of 1787. The Federalists attempted to cut the proposed block into fragments, giving each new area a small population and thus postponing the date of its entrance into the Union as a state. The Act dividing the territory in two, creating the Eastern Division (Ohio), with considerable population, and the western, or Indiana Territory, with a sparse population, was a turning point of Republican power. It was also the first of a long series of party battles over the admission of new states which did not entirely close until there was no more land from which states could be formed.

The shifting of adventurous or needy Republicans out of the east into the west contributed steadily, the next twenty years, first to the upbuilding and then to the maintenance of the power of their party, which was made secure by the successive admission of new western states, all of which in every presidential election during that

period were firmly Republican. The list includes Ohio, 1802; Louisiana, 1812; Indiana, 1816; Mississippi, 1817; Illinois, 1818.

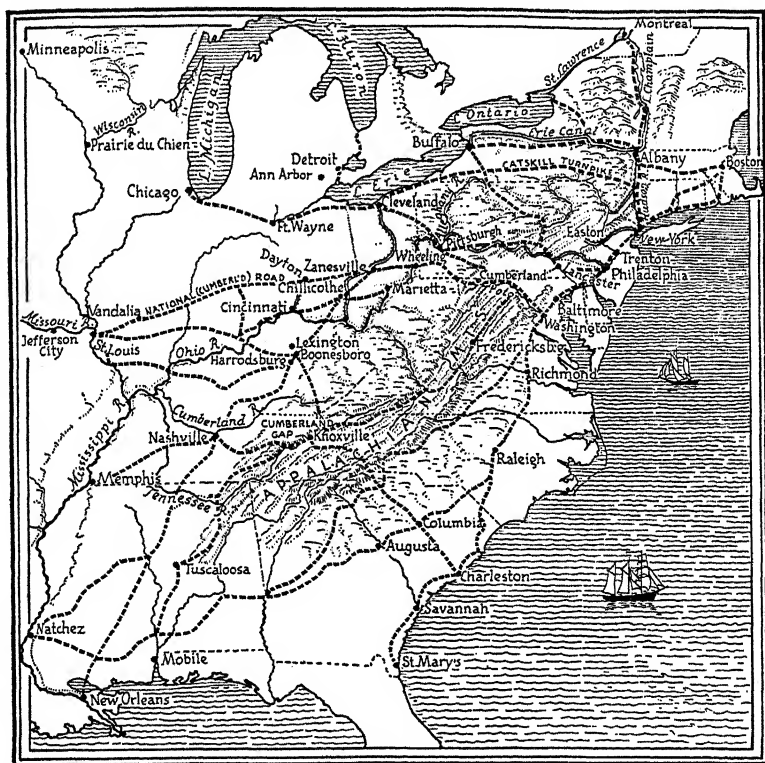
(2) *The Acquisition of Louisiana*

In 1802 the enormous Ohio valley was being entered by steady streams of pioneers along three main routes. (1) New England and New York were being drained of surplus population westward through the historic valley of the Mohawk. From the western tip of this route in northeastern Ohio radiated many lines of migration, reaching on the one hand clear down to the Ohio River, on the other northward even to Lake Superior. (2) The middle route was the river itself. Thousands of emigrants drifted down it on flat boats, settled upon its banks, or ramified upon either side. (3) A third route drew together various eastern trails and carried them across the mountains through Cumberland Gap, whence the Wilderness Road led northwestward to the Ohio, while convenient trails over low ranges penetrated the upper valleys of the Cumberland and the Tennessee.

There was a fourth route almost brand new that was to acquire in time as great a significance as any. Pinckney's treaty with Spain in 1795 had determined the southwest boundary question. The provisions in the treaty of 1783 (page 227) were accepted; this settled the dispute which grew out of the secret clause of the treaty of 1782 (page 226), and fixed the southern boundary of the United States at the thirty-first parallel as far east as the Appalachicola. But not until 1798 was the disputed region handed over to the Americans. It was promptly made into Mississippi Territory. The long quarrel between Georgia and the federal government over the great area claimed by Georgia beyond her present western line was settled in 1802, when Georgia relinquished her western claims and the boundaries of Mississippi Territory were extended so as to cover the entire Georgia cession. Thus was opened to settlement the whole of the Gulf plane between the Appalachicola and the Mississippi except for the narrow fringe of coast country still held by Spain as West Florida. Into this great southwestern territory the fourth route led from the south Atlantic states over rivers and plains to Natchez.

The west of 1802 contained already the seeds of a difference

between the people of the Ohio valley and the scanty population that had made its way into Mississippi Territory. But as yet no one was aware of them. In most respects all the settlers west of the old states resembled one another. And all had at least one great interest in



ROADS TO THE WEST

common. They were dwellers on rivers; their rivers, with a few exceptions in central Mississippi, were part of the gigantic system of waterways that found its outlet at New Orleans. Their life faced westward. Behind them hundreds of miles of wilderness generally mountainous were pierced by no roads worth the name—excepting perhaps the Wilderness Road—the first one over the mountains which was opened on the line of Boone's old trail in 1795. There was but one practical way to dispose of their marketable produce—to float it down from river to river to the Mississippi and New

Orleans. Near half a million people scattered near and far were more or less dependent in last resort on what happened at New Orleans. The mouth of the Mississippi was their Dardanelles.

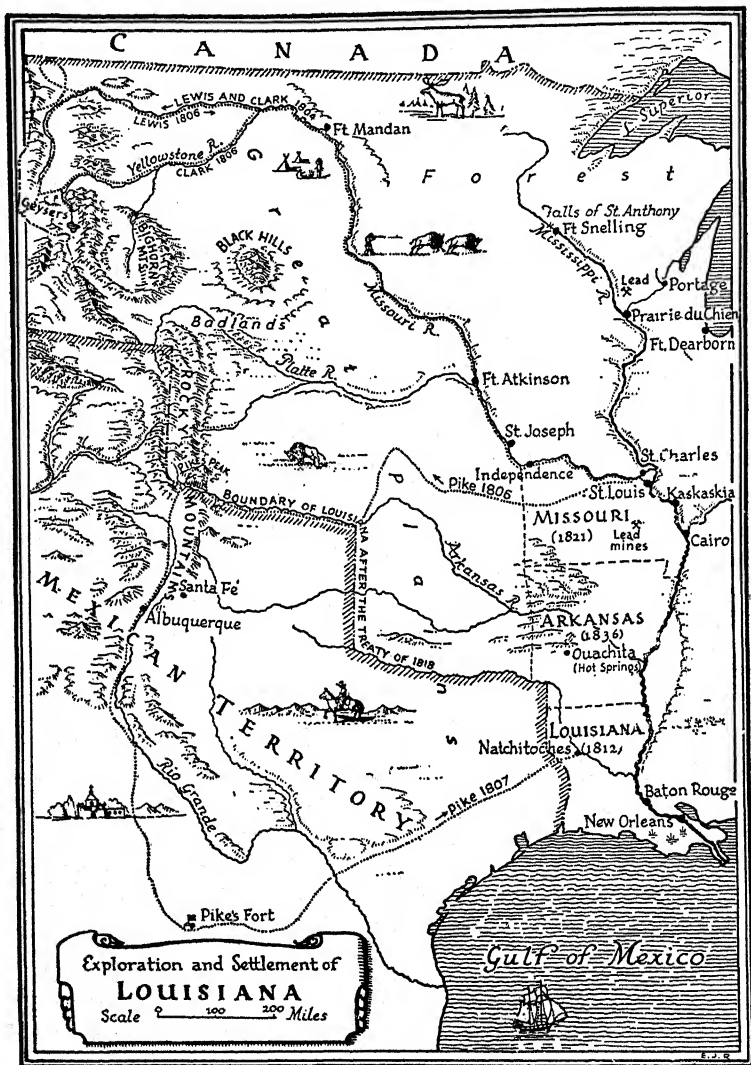
In the autumn of 1802 swift rumor flew from river valley to river valley, all up and down the west, bringing word that the treaty of 1795 was at an end, that the right of deposit at New Orleans (page 293) was withdrawn, and the river closed to American traffic. Never did bad news find a community more ready to become incensed. This was due not only to the bold temper of the frontier, and to its tradition of freedom, and to its constitutional willingness to fight; a religious movement must also be taken into account. A great wave of violent emotion was sweeping over the west. The itinerant preachers who had so profoundly moved their congregations east of the mountains fifty years before (page 155) were now to be paralleled, not so brilliantly but with still more momentous results, beyond the mountains. Intellectually speaking, a descent can be traced from the extremists of the days of the Great Awakening, through western itinerants, down to the leaders of what is commonly called the Kentucky Revival. It began in 1799 and spread rapidly through all the upper west. It expressed itself in camp meetings attended by thousands of worshippers. The lonely frontier life in which there was so little escape for the emotions found a stormy vent through services in which congregational singing was combined with an extraordinary vehemence of public prayer and the confession of sin. The peculiar feature of the revival was the prevalence of religious trance—an evidence that the frontier easily produced mystical intensities of feeling. Frequently these manifestations degenerated into hysteria, into tremors, jerkings of the body or wild outburst of laughter—"the holy laugh" as it was called.

All the frontier denominations felt the effect of this storm of emotion which divided them all more or less in somewhat the same way that the Awakening had divided them fifty years earlier. The theological results were not important. The significance of the spiritual tempest is chiefly in its emphasis upon informal religion—the exaltation of itinerants and the laity rather than college-bred ministers—and therefore in a certain indirect strengthening of the western democratic impulse. It has a further historical significance inasmuch as it revealed the pent-up depth of emotional life con-

cealed beneath the apparent stoicism of the men, and still more the women, of the lonely lands.

The bad news from Louisiana threw the west into a furore. From Natchez, where was the only important settlement in Mississippi Territory, horsemen were sent off posthaste to Washington. Others were hurried eastward from points farther north. Jefferson was quickly admonished that—as the saying is—the woods were burning in the west; that if he did not quickly reopen the Mississippi angry men would be going down all the western rivers, their rifles in their hands, toward New Orleans.

Jefferson acted promptly. He knew much more about the real international situation than did the excited westerners. The fact was that Napoleon had induced Spain, in the secret treaty of San Ildefonso (October 1, 1800), to promise the recession of Louisiana to France. This was part of a vast scheme for rebuilding a French Empire in America which Talleyrand, now his Minister of Foreign Affairs, had persuaded him to adopt. Rumor of what Napoleon was about had reached Jefferson from our minister at London. The President watched anxiously Napoleon's next move, the occupation by French forces of the island of Hayti. He was convinced that Napoleon aimed at Louisiana. The First Consul was still at war with England, and Jefferson used the grim words, "the day France takes possession of Louisiana we marry ourselves to the British fleet and nation." To avert an international crisis he named Monroe envoy extraordinary to France and Spain for the purpose of co-operating with the regular minister at Paris, Robert R. Livingston. They were instructed to purchase if possible the east bank of the Mississippi including New Orleans and also West Florida. Napoleon had now made peace with England and had turned to colonial projects. But it is probable that he was not much interested in Talleyrand's scheme. What faith in it he may have had was swept away by the loss of his armies in Hayti—one defeated by the natives under Toussaint L'Ouverture, the other destroyed by yellow fever. He was dissatisfied with the results of the recent Treaty of Amiens (March, 1802) which had closed the war with England. He made up his mind to renew the war, and suddenly surprised his ministers by informing them that Louisiana must be got into neutral hands without delay.



Very shortly after Monroe's arrival at Paris the astonished American ministers signed a treaty (April 30, 1803) which transferred to the United States the whole of Louisiana extending from the Gulf to Canada in return for \$15,000,000.

The boundaries of this enormous cession were not yet determined. An exploring party under Meriwether Lewis and William Clark in

1804 and 1805 traced the course of the Missouri, crossed the mountains and descended the Columbia. Two explorations by Zebulon M. Pike about the same time produced accurate general knowledge of the southwest. But definite boundaries were not laid down until the treaty with England in 1818 (page 421) and the treaty with Spain in 1819 (page 422).

(3) *Election of 1804*

In 1802, during the turmoil over the repeal of the Judiciary Act, when the Ohio question was in the minds of all the people, and rumors of Napoleon's designs were beginning to get abroad, Fisher Ames of Massachusetts made this statement: "The Federalists must entrench themselves in the state governments, and endeavor to make state justice and state power a shelter of the wise and good and rich from the wild destroying rage of the southern Jacobins"—namely, Jefferson and his friends. It is an old saying that politics makes strange bedfellows; it also leads to strange changes of front. Here was the same impulse to use the small units of government as checks upon the great government that had been so noticeable in the old Confederation (page 328), that Jefferson had invoked again in his Resolutions of the year 1798. The small unit responsive to local interests might be the safeguard of those interests if, as now seemed probable, the conflict of classes was to merge into a conflict of sections.

This same idea worked into the renewed dread of western domination and reached a surprising expression in Congress the next year. The Federalist minority made an issue with the President over the purchase of Louisiana, and strove in vain to prevent the ratification of the treaty. Pickering was now a senator from Massachusetts. He took the position that no state should be admitted from outside the original territory of the Union without consent of all the states of older area.

In the spring of 1804 Pickering and other New England senators went a step farther. Three New England states were still apparently Federalist. Pickering hoped to persuade their legislatures to take the lead in a movement to dissolve the Union. His purpose was to create a northern or, if that proved impossible, a northeastern

confederacy in which the commercial elements might regain their ascendancy over the agrarian and their dread of the west be quieted forever.

Though the Federalists were now in fact a sectional party having no real strength in the south and west, they attempted to disguise the fact by nominating C. C. Pinckney for President and Rufus King for Vice-President. The Republicans renominated Jefferson but dropped Burr in favor of his rival in New York politics, George Clinton—the old war-horse of anti-Federalism. Each ticket was arranged in a caucus of the party members of Congress.

The Federalists knew that they had no chance to carry the election. Even in the states which they thought they still controlled the populace were shouting for Jefferson. Though the leaders did not reveal their plans, what really interested them in 1804 was the “conspiracy” to dissolve the Union. The split in the New York Republicans between Burr and Clinton seemed to open the way to draw New York into the proposed northeastern confederacy. Overtures were made to Burr, including a promise to make him President should the new confederacy be established. Burr was quite willing. But Hamilton now laid his strong hands upon the scheme and brought it to naught. Those who delight in the petty and the sordid as explanation of political motive see in his action only jealousy of Burr. The more manly explanation is more in accord with his character. His vision of the economic future told him that time was on his side, that in all probability time would unite with circumstance to create the vast economic community which he foresaw, which could be relied upon to absorb the lesser political communities and bring to maturity a single mighty nation. His influence with the most powerful leaders of the “conspiracy” induced them to draw back. This first definite secession movement silently collapsed.

The election was an overwhelming victory for Jefferson. The Federalists carried only three small states—Connecticut, Delaware, and Maryland. To their amazement even Massachusetts went Republican.

There was a tragic aftermath. Burr, thirsting for revenge, challenged Hamilton to a duel and shot him dead. Burr was now a man without a party. After a vain attempt to become the paid secret agent of Great Britain, he turned to the west, where he organized

some sort of bold adventure the precise object of which has never been determined. Having gathered a small band of armed men at Blennerhassett's Island in the Ohio, he went down the river and proceeded toward New Orleans. It was reported that he meant to seize the city and provoke a southwestern secession that would set up a new government with himself at its head. At Natchez he was arrested. Though tried subsequently on the charge of treason, the case was dismissed for lack of evidence. Thereafter this restless genius disappears from history.

(4) *The War with Tripoli*

Though Jefferson was instinctively a hater of war, he could face it with resolution when necessary. Throughout his first administration a state of war, technically speaking, existed between the United States and Tripoli. The Pasha of Tripoli had declared war, May 10, 1801.

This Mohammedan potentate, together with the other rulers of the Barbary States of northwest Africa, was actually a pirate King. The whole group of semibarbaric sovereigns practised piracy openly as a source of revenue. Powerful European states felt that it was cheaper to buy them off than to fight them, and consequently secured immunity for their commerce by paying annual subsidies to the "corsair nations." The United States had followed their example.

The Tripolitan Pasha was a truculent person who discovered that his neighbor, the Dey of Algiers, had made a bargain with the United States rather better than his own. Hence his declaration of war. Jefferson responded by sending a fleet to the Mediterranean for the double purpose of blockading Tripoli and protecting American commerce. Congress, with the naval war of 1798 fresh in mind, gave him cordial support. The Secretary of the Treasury instituted "the Mediterranean Fund" in order to carry on these far-distant operations.

A desultory and unprofitable Mediterranean campaign dragged along during three years. A change came in 1804 when Commodore Preble took command. Vigor, though not always success, now characterized the American actions. But the next event was a catastrophe. The splendid frigate *Philadelphia*, commanded by

William Bainbridge, ran upon an uncharted reef, under the guns of the city of Tripoli, and was surrendered. A young American lieutenant, Stephen Decatur, now performed an act of supreme daring. With a volunteer crew, in a small vessel appropriately named *Intrepid*, he sailed into the harbor at night, boarded the captive *Philadelphia*, set fire to her and made his escape with all his men.

The following summer, while in America the bitter issue of the hour was a possible disruption of the Union, Preble conducted fruitless bombardments of Tripoli. The Pasha fled beyond the range of his guns, but would not agree to terms of peace.

Late in 1804 one of the strangest episodes of our history contributed to bring peace. The Pasha was not the legitimate possessor of the Tripolitan throne. To secure it he had murdered one elder brother and driven another into exile. The latter, Hamet Karamauli, was living in Egypt. A remarkable American, William Eaton, consul-general at Tunis, proposed to Jefferson to hunt up Hamet, recruit an army of adventurers in Egypt, and invade Tripoli from the east. He was given permission to attempt this extraordinary undertaking. At the same time, Commodore Barron, who had succeeded Preble, was instructed both to support Eaton and to press the Pasha for terms of peace. Eaton's adventures in Egypt, his organization of a polyglot army of 400 men, his march across the desert, and his seizure of the town of Derne, form what Professor Johnson truly calls "a modern *Anabasis*." Early in 1805 the alarmed Pasha was besieging Eaton in Derne, and hurriedly treating for peace with Barron. The American government was now eager to be through with the war. The Pasha held 300 Americans as prisoners. It was agreed that these should be given up, Derne should be evacuated, and the Pasha should receive \$65,000 cash. As to future tribute, it was understood that each new Pasha, on his succession to the throne, should receive a present from the United States not exceeding \$6000.

Further discussion of the Barbary tribute was allowed to lapse for ten years. It was not until 1815 that the dispute was finally settled. Decatur, now a great figure in the American navy, returned to the scene of his first exploit in command of a powerful fleet. He dictated a new set of treaties which put a stop forever to the payment of tribute to the Corsairs.

(5) *Impressment, Right of Search, Embargo*

It is quite probable that Jefferson's hurried withdrawal from the Tripolitan embroglio was due to alarm over a much more serious entanglement with France and England. It dates back to the opening of the world war with Napoleon. The instinct of the English perceived that they had entered upon a death-struggle between a power pre-eminent on the sea and a power pre-eminent on the land. In order to cripple France by any means in their power the English relied chiefly upon two great weapons—naval efficiency and the control of international trade.

Their policy in connection with each of these matters gave offense to the United States.

The English admiralty had long made use of the cruel practice of impressment—that is, seizing men and compelling them to serve on ships of war—and it applied the practice with especial severity to deserters. Any man who had ever been in the British navy was held to be subject to seizure wherever found. It mattered not in the eyes of the British authorities if he had taken refuge under another flag.

The war with Napoleon caused an immense decrease in European shipping, because almost all European ships were under belligerent flags. Consequently many vessels were transferred to American ownership—at least, in theory. The United States became the chief market place for naval labor. Among sailors who flocked to American ports, many were British deserters. The British Government claimed the right to recover these deserters. Unfortunately the authorities at American seaports were often grossly careless, if not consciously dishonest, in issuing illegal naturalization papers to foreign sailors whose services were desired by American shippers. The British angrily complained that there was no way of telling whether such papers had the slightest legal value. British captains ignored them, insisted on searching American ships at sea, and on impressing any and all sailors whom they believed to be deserters. In most cases the men impressed were actual deserters.¹ In some cases they were genuine American citizens entitled to the protection of the American flag.

¹ The dispute was complicated by a disagreement over the right to change one's country. European nations, generally, held an old idea that citizenship was not transferrable—at least, not without the consent of the home country—while the

The British practice involved a matter of international law—the right of search at sea during war. It was well established by long use. Practically no one, when the wars with Napoleon began, questioned the right of a ship of war to overhaul on the high seas a merchantman of another nation and search it either for cargo that was contraband or for deserters. The custom was now challenged partly because it was applied more rigorously than ever before, partly because of the interests of American merchants, partly because of the sensitiveness of the young republic with regard to its rights. Especially the question of establishing the identity of accused sailors aroused American indignation. When Jefferson was Secretary of State he had urged that “the simplest rule will be that the vessel being American shall be evidence that the seamen on board are such.” However, throughout most of his first term, he was content to let the old practice go on, and when Americans were impressed to obtain their liberation through diplomacy.

Another difficulty developed out of war-time regulation of international trade. Great Britain began by insisting on applying the so-called “Rule of 1756,” which forbade neutrals to make use of ports opened to them only after war had begun. Under this rule when France, while at war with England, opened her colonial ports to Americans, it was claimed that the latter, if they made use of these privileges, virtually became allies of France and lost the rights of neutrals. The Americans attempted to evade the Rule of 1756 by carrying the products of the French West Indies to the United States and thence exporting them to France. In 1800 the British admiralty courts authorized this traffic by deciding in the case of the ship *Polly*, that if the French products paid American duties they became American goods and were not thereafter subject to capture by the enemies of France.

This decision irritated the British merchants. They wanted to see the war strangle the trade of the French West Indies, and give its place in the world's market to British trade. They were appeased in 1805 by the British admiralty decision in the case of the ship *Essex*. The decision in the case of the *Polly* was reversed and the Rule of Americans wanted to believe that it was, and were opposed to inquiring whether the home government had given consent. In time the “doctrine of expatriation” was formulated as a fundamental article of American belief. See an admirable review of the whole subject by J. B. Moore, *Principles of American Diplomacy*, Chap. VII.

1756 practically reinstated as accepted international law. The indirect trade carried on by the Americans was no longer to be tolerated.

Jefferson believed that the United States held the crucial position with regard to international trade, and that no nation could afford to set America at defiance. He got Congress to pass the Nicholson Act, called also the first Non-importation Act (1806). It forbade the importation of various sorts of British goods. Intended to form a basis of negotiation, it was not to go into effect until December, 1807.

A change in the British ministry brought into power the ardent liberal and friend of America, Charles James Fox. He attempted to make concessions to America without at the same time alienating the British commercial class and the navy. His effort to ride two horses resulted in "Fox's Blockade." A royal proclamation (May 10, 1806) declared the whole coast of Europe in blockade, but made the blockade "effective" only between Ostend and Havre. This amounted to conniving at American trade with many European ports.

Late in the year Fox died, and ministers less friendly to the United States took his place. They were speedily exasperated by a bold stroke of Napoleon's. He issued the Berlin decree (November 21, 1806), which declared the British Isles in a state of blockade, and authorized the seizure as prize of war of any ship attempting to disregard the decree, and trade with British ports. Though the French navy was small—its strength having been broken by Nelson, at Trafalgar, the previous year—Napoleon still had a few cruisers, and there were plenty of French privateers. Merchant ships trading to Great Britain, unless protected by convoying war ships, were thus in danger of capture and confiscation.

The British ministry replied with an Order in Council (January 7, 1807), which forbade neutrals to trade between the ports of France or her allies. American commerce was now in a desperate situation. The case of the *Essex* had made impossible the indirect trade between France and the West Indies through American ports. The Order in Council threatened the Americans with confiscation if they carried on that trade direct. The Berlin Decree promised the same fate if they traded to Great Britain.

At this critical moment another turn of British politics brought

into power a Tory ministry little inclined to make any concessions to America. George Canning was Foreign Secretary. He was bold, able, and determined to frustrate Napoleon.

Two months later occurred an incident which very nearly brought on war between Britain and America. The American frigate *Chesapeake* went to sea for a voyage to the Mediterranean. She had been undergoing repairs and was not in fighting trim. Aboard her, unknown to the commander, was a British deserter. Hardly had she left American waters than she was overhauled by the British ship *Leopard*. The British fired three broadsides. The Americans did not have their guns in proper condition and succeeded in firing only one shot. Captain Barron of the *Chesapeake* struck his flag. His ship was searched and four sailors were carried away. One was the British deserter. The other three were Americans.

The incident produced a fury in America. Jefferson demanded satisfaction from the British Government. Canning replied with an offer to make reparation, and recalled the British admiral in charge of the Atlantic station, under whose orders the *Leopard* had acted. But he firmly refused to accede to Jefferson's demand that he abandon impressment.

Canning pressed the British maritime policy with increased vigor. A second Order in Council (November 11, 1807) blockaded the coast of Europe from Trieste to Copenhagen, closing it to neutrals unless they had first touched at a British port. Again Napoleon struck back. His Milan Decree (December 17, 1807) ordered the seizure of any neutral ship that obeyed the British order or permitted itself to be searched by the British on the high seas.

In all this Canning acted on the assumption that American trade, especially in food stuffs, was necessary to France. His aim was to bring France to the point of starvation. Jefferson widened the idea, and thought that both England and France would be unable to carry on war if their supply of American food were entirely shut off. His hatred of war predisposed him to put too much trust in measures that aimed to get results without actual hostilities. Therefore he took the great risk of instituting a policy which if not speedily successful would react upon his own country and impoverish her commercial classes. He induced Congress to lay an embargo on all American ships (December 21, 1807), forbidding them to leave port

for any foreign voyage whatever and commanding foreign vessels in American harbors to go out empty. American coasting ships were required to give heavy bond not to slip away to foreign ports.

It was instantly apparent that the shipping interests would resist the embargo. They preferred all the hardships of the past, and all the desperate risks of illicit trade with both belligerents against them, rather than no trade at all. The agricultural classes in the exporting regions quickly felt the pinch of this tight, legislative shoe. Also, the artisans dependent on shipping were thrown out of employment. Among all these classes the issues of diplomacy were brushed aside. Impressment was no longer talked about. The affair of the *Chesapeake* was forgotten. Denunciation of the new policy formed the popular chorus. As most of the artisans and small farmers had been ardent Republicans, hitherto, their change of front was a political menace to the administration. It was recorded in such an event as a sudden reversal of the political drift in Massachusetts, where four years earlier it had seemed that the Republicans were carrying everything before them.

Looking only at the east in the early months of 1808 one might think that Jefferson had ruined his party. But there were other elements in the political situation not yet obvious, and by these the situation was saved from the party point of view. For Jefferson it was a sad and ironic salvation. We shall now see how his idealistic peace party was converted into a war party.

(6) *Political Alignments of 1808*

The same message in which Jefferson informed Congress of the affair of the *Chesapeake* (October 27, 1807) stated also that "among our Indian neighbors in the northwestern quarter some fermentation was observed soon after the late occurrences threatening the continuation of our peace." That same autumn the governor of Indiana Territory reported that British agents were stirring up anti-American feeling among the Indians; the governor of Michigan Territory reported a conference between British authorities and Indians on the Canadian border. Jefferson sent the latter report to Congress a week after the passage of the embargo. Close on the heels of the Embargo Act, came excited talk at Washington about the dangers of the west, the Indian menace, and the assumed British intrigues. John Ran-

dolph, an erratic but very brilliant Virginian, proposed a course that was later to captivate the western imagination. He would bring the British to terms by invading Canada. Though the Indian war-scare blew over for the moment, all the west flared up in favor of an aggressive foreign policy. The legislature of Kentucky resolved to "pledge our honor, our blood and treasure, in support of such measures as may be adopted by the general government, to secure and protect the peace, dignity, and independence of the Union against foreign invasion, and to chastise and bring to a state of reason our haughty and imperious foes." It was in this temper that the westerners went to the polls in 1808 and voted for Madison, whom Jefferson desired as his successor.

The people of the southwest were in a particularly bellicose frame of mind. They were moving steadily toward the Gulf. That irresistible American impulse to cross the horizon, together with the lure of new fortunes, had begun the "peaceful penetration" of the Spanish borderlands long before the cession of Louisiana. Partly because Americans were moving into West Florida, Jefferson had tried to show that it was included in Louisiana, that the Perdido River was the eastern boundary of the cession. Napoleon would not commit himself on the subject and Spain insisted that no part of Florida had ever been French territory. In vain Jefferson had attempted to persuade Spain to yield West Florida. He had also advanced a claim upon East Florida. The United States had financial claims against Spain for injuries to American commerce due to Spain's permitting French privateers to use her ports during the War of 1798. These "spoliation claims" would be expunged if Spain would cede East Florida. The Spaniards had stubbornly refused to give up either Florida. Meanwhile the southern westerners were clamoring for both.

Besides wanting the land for settlement, there was a trade route which they wanted to control. It was the old route that made the prosperity of the fur traders at Mobile in colonial days (page 195). It led up into the interior along the Mobile and Appalachian River systems and drained western Georgia, southern and eastern Tennessee, and much of the huge Mississippi territory.

In the wild region above the thirty-first parallel the United States had built Fort Stoddart. But it could not be properly supplied with

munitions except up the Mobile River, the mouth of which was controlled by Spain. Nor could the settlers of that region carry on satisfactory trade except down the river through Spanish territory. The Mississippi problem of 1795 was reproduced in the Mobile-Appalachicola problem of 1807. Madison wrote, a few weeks before the *Chesapeake* affair, that a flame was being kindled on the southern border "not easily manageable." It was spreading into Tennessee and Georgia and on across the lower south. Again the eager frontier temper and its quickness to go to war. It was a factor consolidating Republican strength southward in the election of 1808.

Meanwhile the revival of anti-Republican feeling in the northeast grew rapidly with increasing bitterness. Though there were daring skippers who defied the law and stole away to sea and took American food into French ports, this sort of trade was not sufficient to relieve the distress among the ship owners, the maritime artisans, and the eastern farmers. The Federalist party, which seemed to have disappeared in 1804, revived in 1808. Though in 1804 Jefferson had carried every New England state except Connecticut, Madison in 1808 did not carry any New England state except Vermont. The Federalists made a last attempt to keep their foothold in the south by the nomination of Charles Cotesworth Pinckney for President. But though many eastern and southern Republicans were opposed to the embargo, they preferred to stick to their party and to try to effect a change of policy rather than throw the game into the hands of their old enemies. Their double purpose was apparent almost immediately after Congress reassembled, following Madison's election. "The excitements in the east," said a representative from South Carolina, "render it necessary that we should enforce the embargo with the bayonet or repeal it. I will repeal it—and I could weep over it more than over a lost child."

Shortly before the expiration of Jefferson's second term, the embargo was repealed. For it was substituted a Non-intercourse Act which permitted direct trade with any country except the two great belligerents, England and France.

(7) *Mr. Madison's Difficulties*

The new President inherited a most difficult diplomatic situation. Abroad he had to play a three-cornered gambling game, Canning and

Napoleon each aiming to catch him at a disadvantage and force his hand. At home he stood between two fires. The northeastern discontent was becoming so formidable that a secession movement led by the Federalists again seemed possible. They had definitely adopted the policy of peace with England at any price.

On the other hand the western eagerness to expand was finding expression more and more threatening. War both with England and Spain, and the crushing of all the stronger Indian tribes, was the western program. The south, so closely connected in sentiment with Kentucky, Tennessee, and Mississippi, was drifting the same way. Only a very firm and very able man could have played so difficult a game successfully. Madison, more the scholar than the man of action, more the political philosopher than the statesman, was just the wrong man for the occasion.

He opened his diplomatic game by negotiating a treaty with the British minister, Erskine, who was not unfriendly to the United States. In his eagerness to put an end to the controversy Erskine exceeded his instructions. The treaty which he negotiated was promptly disavowed by Canning (May 24, 1809). Erskine was recalled. His successor, Jackson, went to the other extreme. He rudely told Madison that Erskine had been overreached. When he refused to withdraw the expression, Madison refused to have further dealings with him.

When Congress assembled at the close of 1809 one of its earliest actions was an endorsement of the President for dismissing Jackson. The westerners were particularly enthusiastic. War talk was again heard. Henry Clay made a famous speech saying, "The conquest of Canada is in your power."

Such was the atmosphere in which Madison and Congress took the next step in diplomacy. Macon's Bill No. 2¹ repealed all restrictions upon trade but authorized the President to revive them against either England or France should the other adopt a policy agreeable to the United States (May 1, 1810).

All this while the outrage upon the *Chesapeake* had had no compensation. The three Americans taken off were in a British prison. On the other hand, Napoleon had lost no chance to seize American ships in French ports. This was ordered by his Bayonne Decree

¹ So-called, because an earlier bill introduced by Macon had failed of passage.

(April 17, 1808) on the pretext that they could not be truly American since the embargo had closed American ports, and by the Rambouillet Decree (March 23, 1810) confiscating American ships in retaliation for the Non-intercourse Act which had excluded French ships from American ports.

At the same time the American part of the gambling table was the scene of disquieting movements. The peaceful penetration of West Florida had reached a point where nine-tenths of the population was American. As Napoleon had recently conquered Spain and set up his brother Joseph as King, and as England controlled the sea, making it impossible for Joseph to govern Florida, these American settlers were talking of revolt and annexation to the United States.

In the northwest the Indians were astir. The year previous (1809) Governor Harrison had negotiated an Indian cession of lands on the Wabash. Many Indians denounced the cession as illegal. Two brothers, Tecumseh and "The Prophet," made themselves the exponents of a renaissance of Indian patriotism. Reports of their propaganda were joined with the favorite western rumor of British intrigue, and spread through the northwest a contagion of suspicious alarm.

A further cause of anxiety for the President was the attitude of the New England Federalists. Literally, their resentment knew no bounds. The legislatures of Massachusetts and Rhode Island had both denounced the course of the government in extreme terms. When Governor Trumbull of Connecticut refused to allow the state militia to assist in enforcing the embargo, the state legislature heartily praised his stand for "the unquestionable rights of this state to abstain from any agency in the execution of measures which are unconstitutional and despotic."

Such were the prime factors in Madison's diplomatic entanglement at the opening of the summer of 1810.

(8) Enter the War Hawks

The elections of 1810 formed the preliminary to a new chapter in which the control of events was taken out of the hands of the cautious President and put into the hands of a group of bold young men who have come to be known as the War Hawks. The most conspicu-

ous were Henry Clay of Kentucky, aged thirty-four, William Lowndes, aged thirty-five, and John C. Calhoun, aged twenty-nine, both of South Carolina. Others less famous but equally impetuous were John A. Harper of New Hampshire, Peter B. Porter of New York, R. M. Johnson of Kentucky, Felix Grundy of Tennessee, and William Crawford of Georgia. All were either frontiersmen or had caught the contagion of the frontier. They were voices of the transmontane country, of that great crescent that had one tip in Vermont, another in Georgia, and included western Pennsylvania and western New York, as well as the Ohio country, the Mississippi valley, the Mobile country. They were headstrong, imperious, with little regard for political theories and with a rich store of that willingness to drive their causes through, no matter what the opposition may be, which so often distinguishes enthusiastic youth.

Just as these men were winning their elections occurred the first of a series of momentuous events. The Americans in West Florida rebelled. Considering what sort of Congress was coming on, the President would have had to be a very strong man not to play at once into the hands of the insurrection. He issued a proclamation annexing West Florida to the United States (October 27, 1810).

During the next thirteen months, before the War Hawks took their seats in Congress, other surprising events came in quick succession. The first of these was perhaps the most important. The gentle and anxious President fell into a trap devised by the astute unscrupulousness of the Emperor of the French. The Duc de Cadore, Napoleon's Foreign Minister, sent a letter to the American Government promising that the French maritime decrees would be rescinded so far as they applied to the United States providing the Non-importation Act was put into force against England. In his haste to reach any solution of his difficulties, Madison overlooked the added provision that we were to resist the exercise of search by England on the seas. He announced his acceptance of Napoleon's offer and proclaimed the Non-importation Act in force against Britain.

Canning was no longer in office and his successor, Lord Wellesley, was prepared to make concessions. He sent over a special envoy named Foster, instructed to offer full satisfaction for the *Chesapeake*

outrage but not to relax the trade restrictions except in case Napoleon should make good his promise to rescind his decrees.

Before Foster reached America a chance encounter of war ships diverted the thought of Americans from the old story of the *Chesapeake* and focussed them anew on the events of the moment. The American frigate *President*, Captain John Rodgers, was in search of the British ship *Guerrière*, which was roaming American waters impressing seamen. Rodgers met with a British ship in the twilight and thought he had found the *Guerrière*. A fight that lasted only a quarter of an hour ended in the discomfiture of the Englishman (May 16, 1811). It was not the *Guerrière*, but a mere sloop of war, the *Little Belt*. Nevertheless, news of the action was quickly spread and immensely magnified: a great British ship had been given her deserts; the *Chesapeake* was avenged. When Foster arrived there was no longer interest in anything but restrictions of trade. As he could not treat upon this subject his mission was useless.

Meanwhile Napoleon was breaking his promise. The decrees were not revoked. An elaborate system of tariffs and licenses made it as difficult as ever for neutrals to trade with France. On the pretext that the United States was not doing its part and compelling England to rescind the orders, he continued to seize American ships. England refused to change her policy, pointing out that Napoleon had not in reality changed his, and that the United States was virtually taking his side against her.

Madison clung desperately to the hope that presently Napoleon would cease lying and really do what he had promised to do. He was slightly cheered by news from Russia. Our minister, John Quincy Adams, sent word that the Czar was tired of the policy of Napoleon, that he wished to break with his great ally and open his ports to American trade.

As the year 1811 wore on and the impatient War Hawks were counting days until Congress should assemble, a thunder cloud was piling up on the western horizon. Tecumseh had drawn the northwestern Indians into a confederacy to resist the Americans. He then went south for the purpose of organizing the powerful tribes of the Creeks, Cherokees, and others in a similar way. Governor Harrison seized the opportunity and marched into the Indian country. At the Indian town of Tippecanoe he was attacked, and after hard fighting

beat the Indians off with heavy loss. Harrison burned the town. The Indian confederacy melted away and the west was delivered from its Indian peril (November, 1811).

When Congress assembled, the War Hawks were obviously in control. They regarded the clash with the Indians as the virtual beginning of war. They rang the changes on the fact that the Indians used arms and ammunition derived from Canada. They believed America invincible and that the foreign policies both of England and France were ready to collapse. Their most brilliant and most bellicose member, Clay, was elected Speaker of the House.

Madison had surrendered to the War Hawks, and from this time forward exerted little influence on the course of events. Almost from the first day of Congress, its young masters openly avowed their aims. They intended to humble England, conquer Canada, and expel the Spaniards from Florida. "We shall drive the British from our continent," said Grundy. Throughout the winter of 1811-12 the war fever steadily gained strength. All up and down the frontier country, from upper New Hampshire to western Georgia, the woods were burning.

And now the War Hawks made a great decision, with scarcely a thought upon its significance. The country was divided upon the issue of war in two sharply defined sections. The west and south by the opening of 1812 were practically a unit in its favor. New England, except for Vermont and upper New Hampshire, was practically a unit against; New York and New Jersey had gone over to the opposition and were against war. Pennsylvania sided with the south and west. Never until 1860 was the country to be so definitely sectionalized. The most serious question before the War Hawks was whether they should yield to the temptation to carry out their policy by means of a solidly sectional vote in Congress. Should they establish the precedent that a geographical majority in control of the federal government was under no moral obligation to regard the wishes or the interests of a geographical minority?

Without the slightest hesitation these impetuous young men drove furiously for the goal of their desire. An embargo of two months was laid as preparation for war.¹ On June 1, 1812, Madison, who

¹ This measure aroused the British Ministry to make concessions. There was widespread suffering in England through lack of American food stuffs, while manu-

had been renominated a few days earlier by the war party, sent a message to Congress designed to bring war about. On June 18 war was declared. The vote stood 19 to 13 in the Senate and 79 to 49 in the House. It was sharply sectional. The Federalist representatives at once issued an address declaring the war unjustifiable.

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facturers were feeling the loss of the American market. The assassination of the Prime Minister, Spencer Perceval, removed a stubborn enemy of conciliation. The brilliant Henry Brougham led a campaign for concessions. On June 16, Lord Castlereagh announced that Great Britain would revoke the Orders in Council. The news did not reach America until after war had been declared.

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CHAPTER XIX

THE WAR OF 1812 .

1. The First Stage: June, 1812-April, 1813

VIRTUALLY we had become a confederate of Napoleon. It was Napoleon and the United States against the Allies leagued for his destruction. Though we were technically at war with only one of the Allies, its interests, of course, had to be taken into account by all the associates on the anti-Napoleon side. There were thus an eastern and a western "theatre" of war separated by the Atlantic. During each stage which the war developed there was no more vital question than how the resources of that ally which was strongest on the ocean should be divided between the two theatres.

In the first stage England waited for circumstances to take their course in America. She had three reasons for doing so. The British understood better than the Americans the difficulties in the way of invading Canada; the Americans—Clay and others—thought that Canada was in a mutinous condition, but England knew that it was not, and her ministers were aware that a large part of New England, including all the Federalist party, were bitterly opposed to the war. The Federalists made no secret of their hope that the speedy result of declaring war would be the downfall of the administration, followed by "a solid peace with Great Britain."

During the first stage of the war the allies gave their chief attention to the eastern theatre.

Napoleon had prefaced this tremendous conflict with a display of pomp and vanity seldom equalled. He held court at Dresden (May, 1812), where, in a blaze of military splendor, amid a crowd of famous soldiers, his confederated and subject Kings paid him homage as if in reality he was Emperor of the World. Thence at the head of his Grand Army he swept eastward, across Germany and Poland into Russia. Borodino, that awful battle, was fought in August. Shortly afterward the French conqueror entered Moscow.

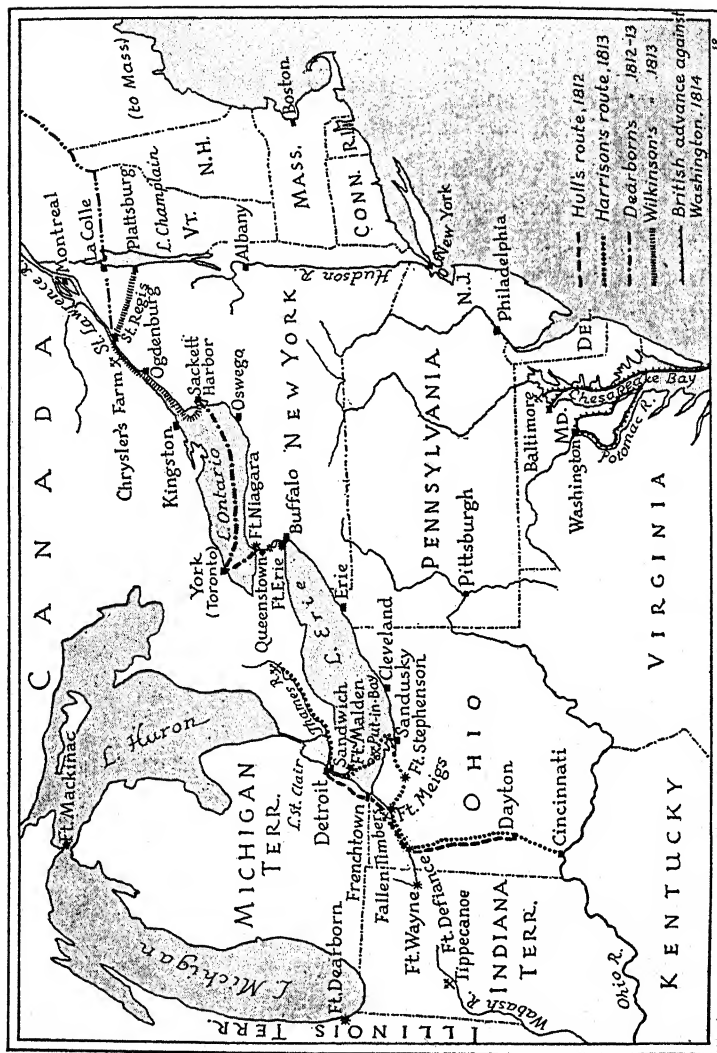
In the western theatre, while Napoleon was marching across Germany, General Isaac Hull with an ill-equipped little army of 2000

men was marching across Ohio and Michigan on his way to invade Canada. As a general he might be called a joke. Though he had marched the life out of his men, he nevertheless pushed on, into Canada, issued a bombastic proclamation, and laid siege to Malden.

The British commander in western Canada was a skillful soldier and a brilliant character, Isaac Brock. The garrison at Malden made stubborn defense; Brock marched swiftly to its aid. Hull lost his nerve and beat a hasty retreat to Detroit. Brock pursued. As he was about to attack, Hull raised a white flag (August 16, 1812).

This miserable failure struck the keynote of the American operations in the first stage of the war. The American plan of campaign called for three simultaneous invasions of Canada. While Hull was advancing from Detroit, General Dearborn was to advance from Lake Champlain to Montreal; a third expedition was to strike into Canada from Niagara. Thus it was to be made impossible for the Canadian forces to concentrate. But Hull was not alone in his incompetency. The eastern generals whose prompt movement might have saved the day were incredibly slow. Brock, after comfortably beating Hull, was allowed two months in which to continue preparations unmolested. October came before the Niagara expedition got started. It was in two parts, militia and regulars, the former commanded by General Van Rensselaer, the latter by General Smythe. The two generals quarrelled disgracefully. When Van Rensselaer insisted on attacking, Smythe would not support him. Van Rensselaer was met by Brock himself, who had had ample time to come east after the surrender of Hull. A furious engagement ended in the rout of the Americans, though the Canadians paid a high price in the death of their brilliant leader. The next day Van Rensselaer, who had bungled everything it was possible to bungle, resigned. Smythe was given command of the expedition. He proved equally incapable. After idling away another month he made a half-hearted attempt at invasion, which was easily beaten back. At Niagara the war came to a standstill.

The third advance against Canada was commanded by General Dearborn, an antiquated old soldier who held the highest rank in the American army. He also was a dawdler. Not until November did he reach the Canadian line where it touches Lake Champlain. There another humiliation lay in wait for the Americans. Most of Dear-



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born's soldiers were New York militiamen. When they reached the boundary they refused to go farther on the ground that they were not obliged to serve outside their state. The inglorious Dearborn marched back to Plattsburg, where he went into winter quarters.

The dreary winter of 1812-13 saw little to encourage us either at home or in the eastern theatre. Napoleon found Russia too hard a nut for him to crack, and after a short stay in Moscow began that ruinous retreat in which through battle and hardship his Grand Army melted away (October-December, 1812). At the end of the winter he was desperately gathering a new army preparatory to a final duel with the Allies.

In America there was but one incident worth mentioning. In the northwest, General William Henry Harrison drew together a fresh army, chiefly from Ohio and Kentucky, with a view to retrieving Hull's fiasco. In January, 1813, Harrison's base was at the falls of the Maumee. General Winchester with the Kentucky contingent was at Frenchtown on the River Raisin, thirty miles nearer Detroit. There Winchester was surprised (January 22, 1813) by British and Indians under General Proctor and his whole command killed or taken. During the night following drunken Indians surrounded and murdered the prisoners. This terrible event, though it shattered Harrison's force and compelled him to retreat, gave a war cry to the western border—"Remember the Raisin."

In the following spring acting under orders from the War Department, the inglorious Dearborn made a raid into Canada and performed an action for which subsequently the British took a fierce revenge. He seized York (Ottawa), the capital of Canada, burned the government buildings, and returned home.

The scene shifts back to the eastern theatre. Napoleon's superhuman energy created a new army. On April 25, 1813, he went to the front, and the second stage of the war began.

(2) *The American Frigates*

Meanwhile the Americans had been cheered by a series of sea duels which, though they had no effect upon the course of the war, were brilliant achievements. The work of Humphreys at last bore conspicuous fruit. The splendid new ships built on his designs were

far superior to the corresponding ships of the European navies. This superiority was demonstrated in the destruction of the *Guerrière* by the *Constitution*, the *Macedonian* by the *United States*, the *Java* by the *Constitution*. The most famous of these actions was the first (August 19, 1812), in which the American Captain Isaac Hull and the British Captain John Dacres behaved as if their deadly combat were but a lighthearted form of sport. Though their fight lasted but half an hour, the *Guerrière* was completely wrecked by the fire of the Americans. Dacres left a sinking ship to go aboard *Old Ironsides*, where Hull received him as an honored guest.

The roll of victories was broken by the capture of the *Chesapeake* by the British frigate *Shannon* (June 1, 1813). The American frigates were, after all, but a handful compared with the British navy. They were soon compelled to take refuge in neutral ports, where they were held idle by blockading squadrons for the rest of the war.

American naval activity after the summer of 1813 was mainly confined to the bold adventures of privateers. These "commerce-destroyers" as we should call them today, further demonstrated the mechanical genius of the Americans. They were the fleetest ships on the ocean. They had no difficulty in outsailing ships of war. Their success in destroying enemy merchantmen was a factor in bringing about the eventual negotiations which brought the war to an end.

(3) *The Second Stage: April, 1813–April, 1814*

With Napoleon again in the field, in the spring of 1813, the British ministry was eager to get rid of the side war with the United States. The Emperor of Russia, Alexander I, took the same view. At his suggestion in May, 1813, the United States dispatched Gallatin and James A. Bayard as special envoys to co-operate with J. Q. Adams, still our minister to Russia, in negotiations for peace. Later, Alexander's influence contributed toward inducing Lord Castlereagh to consent to treat with the Americans (August, 1813). Gallatin and Bayard were speedily instructed to get into communication with Castlereagh. They were then at Saint Petersburg. They set out at once for London. At the same time Henry Clay and Jonathan Russell were added to the American commission.

While these preliminaries to negotiation were going on the Americans scored several successes in the western theatre. Captain Oliver H. Perry got together with incredible quickness an extemporized war fleet on Lake Erie. He attacked and defeated a British fleet (September 10, 1813). He reported his victory in the famous dispatch, "We have met the enemy and they are ours."

Harrison, having reinforced his army, advanced against the British holding Detroit. Perry's victory caused the evacuation of Detroit. Harrison followed the retreating British into Canada, forced them to make a stand at the river Thames and won a notable victory (October 5, 1813).

Meanwhile, on the southern boundary the Americans were carrying out their designs upon East Florida. Mobile was occupied by General Wilkinson advancing from Louisiana in April, 1813. In August, that year, the Creek Indians took the warpath. Their attack on Fort Mims, in American territory, added another to the long list of frontier massacres. Swift retaliation came with the march of Andrew Jackson at the head of the Tennessee militia. Supported by a regiment of regulars he broke the power of the Creeks in the battle of Tohopeka (March 27, 1813), and began preparing for a march against Pensacola, which was one of the early events of the third stage of the war and ended in the storming of the town (November 7, 1814).

While the Americans were gaining these relatively small successes in the western theatre, Napoleon's genius had flared up in a last magnificent outburst. He won brilliant victories in May, 1813. In June he seemed to be driving his enemies before him. It was during a six weeks' armistice covering July that the American negotiations were agreed upon. But Napoleon had shot his bolt. His resources were all but exhausted. His last victory, the tremendous battle of Dresden (August 26, 27, 1813), was the real end of his power. In the following winter while Jackson was pushing his way into Florida, and the American envoys were on their way to London, the French armies were slowly being driven back upon Paris. Before the Americans reached London, Napoleon had abdicated (April 11, 1814). The war in the eastern theatre appeared to be closed. The United States was the only power left at war with Britain.

(4) The Third Stage: April, 1814–November, 1814

Neither the British Government nor the British people were now in a conciliatory mood. With Napoleon overthrown, the government felt it could dictate terms to the Americans. The people, especially the merchants, were eager to be revenged as well as to be reimbursed for ships destroyed or captured by the privateers. The Emperor Alexander was in London, and when Gallatin consulted him (June, 1814) the Emperor told him that the opportunity for a favorable treaty had gone by. Nevertheless, both sides wished to continue negotiations. It was agreed to do so on neutral ground, and Ghent was selected as the place. There, in August, 1814, the commissioners of the two countries met.

By that time the situation had become still darker for the Americans. The termination of the war in Europe had been followed by an increase of vigor in the British operations against the United States. These took four directions: an expedition against Washington; another against New Orleans; an invasion of New York from Canada; and naval operations on the coast of New England.

The last had the most immediate effect. A blockade of American ports, which had been instituted the previous year, became far more stringent. Before the commissioners really got down to business a British naval force had occupied a large part of Maine, and the British were talking about its annexation to Canada as the price of peace.

The first move toward an attack upon Washington was the dispatch of a powerful British fleet to Chesapeake Bay. Throughout the second stage of the war the blockading forces had maintained a naval base on an island in the bay. Admiral Cochrane now brought over a force of 5000 men under General Ross. Landing at the mouth of the Patuxent, Ross marched to Bladensburg, five miles from Washington, where General Winder awaited him with some 8000 raw militia, and a handful of marines. The "battle of Bladensburg" was an almost instantaneous rout, the militia being swept away by panic. The President and Mrs. Madison escaped from the White House just as the British forces entered the city (August 24, 1814). The British remained twenty-four hours; closely paralleled the procedure of the Americans at York by setting

fire to the government buildings; and then marched back to their ships.

The fleet and the army proceeded to Baltimore, where occurred the unsuccessful attack on Fort McHenry (September 14, 1814), preserved in the memory of all Americans by *The Star-Spangled Banner*, composed by Francis Scott Key the morning after the bombardment had terminated in failure. The expedition sailed away to join the forces gathering to attack New Orleans.

Far more important than any of these events were others that took place on the northern border. There, this third stage of the war opened promisingly for the Americans. General Jacob Brown pushed into Canada and was victorious at Chippewa (July 5). Three weeks later, in combination with General Winfield Scott, he defeated the British in the hard-fought battle of Lundy's Lane. However, these actions were not the important ones. Brown and Scott withdrew their little army to the United States.

The determining action was the battle of Lake Champlain. Sir George Prevost led 11,000 men along the route taken by Burgoyne in the Revolution and was supported by a fleet on the lake. General McComb, at Plattsburg, could muster but 200 Americans. But Prevost dared not expose his communications with Canada, and therefore his fleet was the key to his security. An inferior naval force was commanded by a young American officer, Thomas McDonough. A brilliant naval battle (September 11) resulted in the destruction of the British fleet, followed by Prevost's retreat to Canada.

The news of McDonough's victory reached Ghent at a critical moment. The Congress of Vienna, in which the victors of Napoleon were quarrelling over the spoils of war, seemed about to break up in antagonisms not to be reconciled. England was eager to reassemble all her forces in Europe so as to be prepared for any emergency. The ministry turned to Wellington for advice. He told them that control of the American lakes were a condition of success; that since this control had been lost, the sensible thing was to make peace with the United States as quickly as possible. A change of tone in the British commissioners at Ghent was at once apparent. Among the Americans, on the other hand, the War Hawk temper had been quieted. The British had begun the negotiations with

extravagant demands for cession of territory; the Americans with demands for the relinquishment of impressment and right of search. Now, both jumped to the same conclusion: the wise course was to get peace on any terms that did not require sacrifices. A treaty was quickly agreed upon (December 24, 1814). It was silent upon all points in dispute; gave the United States no new territory, neither Canada nor Florida; merely provided for the evacuation of all territory seized during the war; restored commercial amity between the two nations, and arranged for a commission to lay off the northern boundary under the treaty of 1783.

(5) *The Hartford Convention*

Throughout the war the American Government had been embarrassed by lack of funds. A war loan of eleven millions was called for as soon as hostilities began, but only six millions were subscribed. The Federalists generally refused to contribute. In New England a subscription to the war loan meant social ostracism.

Part of the government's difficulty was due to the lack of an adequate central bank. Hamilton's Bank had gone out of existence at the expiration of its charter in 1811. The state banks were relatively feeble. The determined opposition of those classes in the northeast that held the ready money of the country could not be overcome. Though some \$35,000,000 of loans were subscribed first and last in the middle states, New England took only about \$3,000,000. Late in 1814 specie payments by the government ceased. Its credit had sunk so low that money could not be borrowed for incidental expenses except on personal security.

The Federalists of New England hampered the prosecution of the war by every means in their power, but it was not until the third period that they attempted extreme measures. Some of the old leaders of the party wished to secede from the Union and join with Canada in a new northern confederation. Others wished to force the west into secession and then reorganize the Atlantic states in an eastern confederacy. These discontented Federalists thought they saw their opportunity in the dark days of 1814, when Maine was largely in British hands and it seemed as if America had definitely lost the war. The best commentary on their hopes is a letter of

Gallatin, dated October 20, before he had heard of the McDonough victory, saying that only a great reverse of the British arms would bring about a treaty satisfactory to Washington. Throughout 1814 secession talk had become more and more frank in New England newspapers. It blazed into fury over a Conscription Act passed by Congress in the autumn. The act was a tactical mistake because many Republican idealists were opposed to everything of the sort. They joined in the Federalist denunciation of this measure. The Connecticut legislature resolved that it was unconstitutional by a vote of 186 to 6. Twenty-three of the majority were Republicans.

Perhaps this note and similar composite expressions of resentment deceived the Federalist leaders and led them to believe that the masses of New England were more ripe for secession than they really were. Through the Massachusetts legislature they appointed delegates to meet delegates of other New England states to suggest "measures for the common defense" and to consider amending the federal Constitution.

At Hartford, December 15, 1814, delegates of Massachusetts, Connecticut, and Rhode Island met in convention. Unofficial delegates attended from other parts of New England. The convention proved to be a surprise. George Cabot, who was made president, remarked, "We are going to keep you young hot heads from getting into mischief." This cautious temper brought about a "Report" by the convention that disappointed the secessionists. It was not different in spirit from the Resolutions of 1798, suggested that the states undertake their own defense, and that part of the federal taxes collected within a state be allotted to it for this purpose. A significant sentence was, "If the Union be destined to dissolution, by reason of the multiplied abuses of bad administration, it should if possible be the work of peaceable times, and deliberate consent." Seven amendments to the Constitution were proposed. Sectional feeling appeared in the proposal to cut down southern representation by abolishing the three-fifths ratio and limiting representation strictly to the white population; no new states were to be admitted without consent of two-thirds of both Houses of Congress; federal control over commerce and the power to declare war were to be limited in the same way; no federal embargo was to last more than sixty days; other restrictions dealt with naturalization of aliens and

their privileges in holding office; the President was not to succeed himself. Commissioners—called “ambassadors”—were appointed to carry these views to the administration.

(6) *Acceptance of Peace*

When the New England “ambassadors” set out for Washington no one in America had any knowledge of the fortunate turn of affairs at Ghent. Neither was this known by General Jackson on the Florida border. Since his victory at Tohopeka he had been busy pacifying the Creeks. This was accomplished in the Treaty of Fort Jackson (August 9, 1814), which safeguarded the trade route down the Alabama and opened an extensive area to white occupation. In the early autumn he knew that British agents were at Pensacola. It was this news that led him to march down and take possession of the town. Meanwhile the army that had sacked Washington was moving south. Augmented by other forces and commanded by General Packenham, it approached New Orleans. Jackson hurried thither. While the Hartford convention was in session, the British fleet was hovering off the mouth of the Mississippi and Jackson was furiously endeavoring to put New Orleans in condition to resist an attack. The British forces included about 10,000 regular soldiers. The Americans were chiefly volunteer riflemen from Kentucky, Tennessee, and Georgia. The British were slow in getting ready. Not until December 23 did fighting begin. A sharp fight between the advanced forces of the two armies ended in no advantage to either. Jackson drew in his lines and continued fortifying the city. By January 8 all the British forces had been landed and Packenham decided to carry the American works by storm. He held the raw American troops in contempt, and ordered a movement which he would not have dared to make against professional soldiers. It was a frontal attack against a line of entrenchments extending across an isthmus between the river and an impassable swamp. The position was a death trap—as the assailants speedily discovered. The direct fire of the Americans was so constant and so deadly that the British columns melted beneath it. Packenham was killed with near 2000 of his men. Jackson lost but 13. The British retreated to their ships and sailed away.

The news of this astonishing victory swept the country in a

tempest of delight. It put the whole nation in good humor. All the disasters of the war were forgotten; the score was cleared; Americans could now make peace without the sense of humiliation. The gloom that had followed the bad news from Ghent, as indicated by Gallatin's October letter, vanished in a general hopefulness. The New England "ambassadors" heard of the victory before they reached Washington and perceived that the country would now pay no attention to them. They turned around and went home. A few days later a special messenger brought to Washington the treaty of Ghent. On February 17, 1815, the Senate ratified the treaty by a unanimous vote.

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CHAPTER XX

THE FORMULATION OF NATIONALISM

THE men who had made the war were still in power. Madison had been re-elected the first war autumn. The leaders in Congress were the same as in 1812. Clay was still the Speaker of the House. The Republicans were still in control. But their party, as a whole, was not quite the same thing as when Jefferson organized it, some sixteen years before.

The nature and constitution of political parties has given rise to much interesting discussion. Long ago Macaulay formulated a theory which is one of the monuments of the discussion, though not now in as much favor as once it was. He held that in all countries there are always the stable, well-placed people who are content with things as they are, and also the restless, discontented people who desire change; therefore, that we have always, under whatever names, Conservative and Radical parties. It is the fashion today to scoff at Macaulay as superficial. Nevertheless, there is an element of truth in his theory. But it is neither capacious enough nor subtle enough to include all political phenomena.

In American history it was once the fashion to trace political differences fundamentally to attitudes upon the interpretation of the Constitution. This theory made strict and loose construction, as promulgated by Jefferson and Hamilton, the mainsprings of practically all our political action. To a considerable degree it has lost its popularity; students still look upon it as a valuable historical suggestion, though no longer as a complete historical formula. Even when this theory is widened and humanized and restated as a struggle between the central power and local influences, between nationalism

and state rights, the present tendency is to regard it as but a partial explanation.

Recently Professor Beard, with his usual scope of learning and his usual ability in developing an argument, has accepted as the abiding source of political antagonism the enmity between the farming and the mercantile groups, between agrarianism and capitalism, which, we have seen, began with the republic. Professor Beard is much too acute an observer of life to fall into Macaulay's error of stating his theory without conditions. And yet, even when we allow for the social and emotional elements which he recognizes as parts of the political complex, we find that we have reduced politics to a formula almost as sweeping and almost as rigid as the classic formula of Macaulay.

Several factors are lacking in most if not all these formulas of political action. In American history, particularly, all our great parties have come into existence as parties of opposition. This means that several social groups have, at some moment, discovered a point of attack in the prevailing social system which all these groups could unite in condemning. All the various groups that were drawn together in the Jeffersonian combination, much as they differed among themselves, could agree in what they wanted to overthrow. Their motives in desiring the fall of the aristocracy were far from uniform, but their common purpose was clear and simple. Once they had succeeded in their destructive policy, once they began to construct, the differences among themselves became apparent.

When a party that has originated in opposition wins its immediate battle, acquires power, becomes a party of construction, the problem of holding its factors together becomes a delicate one. Generally, this is the moment at which the party begins more or less to change. A wavering balance among its elements—balance rather than complete unity—is likely to be the result of the effort to stick together in the enjoyment of power. This is what gives to parties their fluctuating outlines, and forbids us to deal rashly in formulas of action. Now one wing of a party will dominate it, now another.

The foregoing sentence involves two assumptions that are of first importance—a definition of "party," and the reason why a party is not what many people thoughtlessly believe it to be.

First: It is a universal law that any congregation of people who

act together for a while develop a subconscious sense of each other and of their relation together—their fraternity, so to speak—that is not the same thing as their intellectual acceptance of the purpose that originally drew them together. To use two images drawn from science. There may be a mathematical combination, like the combination of chairs in a classroom, each remaining rigidly a separate unit and the combination merely a matter of counting a number; there may be a chemical combination, analogous to the mixture of ingredients in the formation, say, of a gas, the result being a new thing that is not merely the sum of the ingredients composing it. As long as a number of people have only an intellectual union on some political issue their attempt at a party is in the experimental stage. It is when they emerge from this condition and acquire a fraternity, whether consciously or unconsciously, that they become a real party. This is true of all successful combinations of men that hold together for considerable lengths of time and accomplish great things—of parties, of societies, churches, classes, nations.

It is this sense of unity deeper than merely intellectual unity, felt rather than understood, that explains to a great extent the apparent inconsistencies of parties, their changes of front, their contradictions of their own past, their advocacy of one thing at one time, of something else at another. Just as a nation will alter its foreign policy with changes of circumstance, so will a party when fully developed as a functional part of society shift and veer under stress of the instinct of self-preservation. One of the consequences of political fraternity is to give that instinct a new social and institutional objective.

Second: the explanation of all this is in recognizing the psychological fact that our conduct is determined by a great number of influences in addition to conscious thought. The fallacy in much of the thinking about politics is in failing to make that recognition. The intellectual element, especially in political leaders, in Jefferson and in Hamilton, is of course of chief importance and should never be treated lightly. But in accounting for the phenomena of joint action, of parties, we must allow for tradition, for the power of catch-words—so much greater than most people realize!—for the willingness of so many men to allow their course to be decided for them by others. Again, science gives us a useful image. There is something we may call inertia—the tendency, once motion has been started,

for it to go on continuously—in human life as in physics. A moving body will continue on its original line of motion until checked or deflected by some opposing force. Political inertia works in organized bodies of men producing a somewhat similar tendency. There is more than mere jesting behind Bagehot's remark that the point of view of the average Englishman is "what I am sayin' is this here as I was a-sayin' yesterday." He was stating political inertia in terms of a satiric joke.

Returning from generalities to the concrete situation, the Republicans of 1815, though ostensibly the same combination that had come into power fifteen years before, had passed through their experimental stage, had felt the subtle influences of the possession of power, had gone over from being a negative to being a positive political force, and were now confronted by a number of new and difficult problems. During the next four years, 1815–1819, the Republican leaders are to wrestle with these problems which may be summed up under six heads:

1. A new attitude toward war; 2. The industrial consequences of non-importation; 3. Domestic transportation; 4. Financial sectionalism; 5. The renewal of the contest over the currency; 6. The reflection of all this in constitutional theory.

(1) A New Attitude toward War

The idealism of Jefferson included a hatred of war. Though not a fanatic on the subject—as was shown by his war with Tripoli—he inspired in the old-style Republicans the hope that war was no longer, for Americans at least, to be "the final argument of kings." War and kings were to pass out of our consciousness together. Neglect of both the army and the navy was characteristic of the Republicans in their early years of power. When the war began the army was almost a nominal thing, the generals in charge of it were mainly relics of a former age; in making appointment to the army Jefferson appeared to regard it as a sort of honorary society, not as a genuine fighting machine. The officers of the navy were of a totally different sort because their tasks even in time of peace were so technical that none but trained seamen dared accept them. The navy was recruited from the merchant marine. But the Republican Secretaries of the

Navy, until 1814, were appointed for purely political reasons. A change for the better came in 1814 when William Jones took over the Navy Department and introduced efficiency; but it was too late to produce much effect until after the war.

The reluctance of the old-style Republicans to commit themselves irrevocably to a war policy was evinced early in 1812 when the War Hawks laid their military program before Congress. Part of it was the building of twelve battleships and twenty frigates. After long discussion these proposals were rejected. Subsequently this reluctance of the Old Republicans was overcome and new ships were ordered, but this, like the reorganization of the Navy Department, came too late to bear opportune results.

Pressure of circumstance had reorganized both army and navy, and at the war's close the Republicans as a party were done with their earlier pacifist impulses. Both army and navy were put upon what experts considered a respectable footing for a time of peace. The new temper on this subject crystallized in the Military Academy at West Point. It had been designed by Washington; Congress had authorized it in 1802; but during the next ten years few cadets were in attendance, and little instruction was given; at the opening of the war no instructor was in residence. One of the first war acts was a reorganization of the academy. A competent superintendent was appointed, Major Sylvanus Thayer, and the academy entered upon its distinguished history as a world-famed school of officers.

(2) Industrial Consequences of Non-importation

Previous to the Non-importation Act of 1806, American manufactures had not materially changed since colonial times. What is known as "the household system"—each artisan working by himself, in his own shop with his own tools—was generally in vogue. But even in America "the factory system" introduced from England was struggling to get established. This new system, in which the worker was not as a rule the owner of the tools he used, was due to the complicated inventions which caused the industrial revolution. This profound change in conditions of labor began in England during the latter part of the eighteenth century and spread gradually to all parts of the world. The new machines for spinning

and weaving and for printing cloth were so costly that considerable capital was necessary for their construction and maintenance. A new opportunity for the investment of money was thus created. Capital seized the opportunity. Machines were built, artisans were employed to use them, the factory—with all that it signifies—came into being.

Even before the Americans declared their independence, though the industrial revolution was not yet an accomplished fact, some of the most important of the new machines had been invented, and it was plain to many people that a great change in industrial conditions was impending. The first cotton mill in the world was established in England in 1770. In 1775 Samuel Wetherill, Jr., at Philadelphia, took a chief part organizing "The United Company of Philadelphia for Promoting Manufactures." A factory was started equipped with machines on the model of the recent English invention. This factory was snuffed out in the troubles of 1777. After the war was over, Wetherill tried again. He brought about the formation of a Society for the Promotion of the Useful Arts (1787), and in 1788 the society opened a textile factory. The same year the legislature of Massachusetts appropriated money for the encouragement of several men who set up a cotton mill at Beverly, the first in New England.

About the same time, Connecticut subsidized "the first purely wool manufacturing concern founded on a strictly business basis." It was located in Hartford. The state exempted woolen factories from taxation for five years; all artisans working in them were exempted from poll tax for two years. In 1789 the man who is generally regarded as "the father of the American factory system," Samuel Slater, came over from England. He had heard that Americans were trying hard to get the factory system going in their country; he had minute knowledge of its working in England; he resolved to seek fortune in America. Slater made his way to Rhode Island, promptly found financial backing, and on December 20, 1790, started at Pawtucket the first American cotton mill that was financially successful. Within three years there were ten other mills completed or under way in Rhode Island.

The years 1789-93 contain a group of contrasting events that are singularly significant. The events just indicated make plain

enough why it was that Pennsylvania and Massachusetts had set up protective tariffs to encourage manufactures even before the federal union was established; why Congress was quick to lay a general protective tariff (1789); and why Hamilton wrote his now famous Report on Manufactures (1791) urging their encouragement through protection by the federal government. But these facts are not the whole of the interesting contrast. While Samuel Slater was turning his eyes toward America as the end of the rainbow financially, Priestley and Cooper (page 324) were seeing here the end of the rainbow idealistically. It was in 1793 that Cooper came to America.

Milling developed slowly during the years before 1806. Among several handicaps was the lack of large supplies of raw material necessitated by the factory system. The supply of wool was scanty. Cotton at first was at a disadvantage because it had to be cleansed of its numerous seeds by hand—a slow and laborious procedure. In 1793 Eli Whitney invented the cotton gin, a simple and effective machine that cleansed the cotton with great rapidity. Two years earlier the American production of cotton was equivalent to but thirty-eight bales of the size now in use, containing 500 pounds each. The whole output was absorbed by the English mills. The invention of the gin made cotton a profitable commercial crop throughout most of the southern states. The volume of American cotton was increasing by leaps and bounds, much of it still going abroad, when exportation of cotton was interrupted by the Act of 1806.

When wool manufacture began, the fine merino sheep were almost unknown in America. Not until 1801 was there any importation of merinos worth considering. At the opening of 1806 the number of merinos was so small and the imported woollens so popular that there seemed little future for the industry.

Both cotton and wool as well as many other forms of manufacture were suddenly and recklessly stimulated by the events that followed 1806. Not only was foreign competition shut off, but in the furious anti-British feeling that swept the country all sorts of encouragement was given to home manufactures. Subscriptions were raised and turned over to venturesome persons who were willing to set up native industries. The cotton crop that was now, thanks to Whitney, becoming a great commercial asset, had to be absorbed at home. The response of capital to these urgings—legislative, eco-

nomic, and sentimental—raised the number of cotton spindles between 1807 and 1809 from 8000 to 80,000. Wherever the restrictive legislation of the War Hawks produced unemployment, there was another reason to encourage the establishment of factories. New England provided in this way for many of the idle workmen brought near to starvation by the stoppage of commerce. At the same time a considerable amount of New England capital was withdrawn from commerce and put into manufactures. At the close of the war the woollen and cotton mills of New England were supplying the country.

A curious event in our manufacturing history took place during the temporary relaxation of commercial restrictions in 1810 and 1811. We had an enterprising consul in Portugal, William Jarvis. The disorders in Spain made it easy for Jarvis to obtain in that country large numbers of the best merino sheep. He began shipping them to the United States. Some 25,000 were sent over and distributed to all sections, many being sent to the west, especially to Ohio and Kentucky.

It has never been made quite clear how far the War Hawks took all this into account in their zeal for war. The point is not important because of the failure of their militaristic program. Peace on the basis of a restoration of the pre-war relations created for them an industrial problem they had not foreseen. By excluding European competition and through the raising of subscriptions to furnish subsidies, it had been possible to produce and market American cloth while paying wages much in excess of the wages paid in England. Meanwhile, as the end of the war came in sight, British manufacturers prepared for a commercial drive to recover the American market. While the Senate was ratifying the peace treaty, British ships were lying off Sandy Hook waiting to rush to the New York docks the instant peace was proclaimed.

There followed a famous instance of the "dumping" of goods on a foreign market. Produced by cheaper labor, the British goods cut sharply under the American goods in price. All the new American manufacturers, their business artificially stimulated, were threatened with ruin. The labor dependent upon them was threatened with unemployment. The party whose policies, however unintentionally, had brought about this disastrous condition was threatened with

wholesale secession of voters if it could not somehow remedy what it had itself produced.

The leaders of the war party, including Calhoun and Clay, accepted the situation. They saw no way out of their predicament but to set up a confessed protective tariff with duties averaging about twenty-five per cent.¹ Cotton was especially favored. The coarser cloths which were imported from India were taxed so high as to exclude them from the American market.

The discussion of the tariff brought disagreements that were full of doubtful meaning. Calhoun insisted that he was not thinking of the interests of the manufacturers, that his one purpose was to make America "economically independent." Jefferson argued that "we must now place the manufacturer by the side of the agriculturist in order to escape from dependence on Europe." In sharp contrast the capitalist class of New England was mainly opposed to the tariff. Their money was still very largely in ships. They hoped for a revival of the foreign trade with a great volume of imports. A protective tariff shutting off that trade was the last thing they wanted. In opposition to the shipping interests those New Englanders who had gone in for manufactures, also many Pennsylvanians who had similar aims, also the wool growers of the west, and to some extent the cotton growers of the south, were in favor of the tariff. A complicated criss-cross of tariff interests was looming upon the political horizon.

(3) *Transportation*

The War Hawks were able to hold together upon the tariff issue, but another which arose side by side with it showed that they might easily split into factions. The war had demonstrated anew the lack of roads. Two other considerations bore on the same point. The restless drift of population westward had been accelerated by the hard times during the war. Western communities were growing rapidly. More pressing than ever was their need of ready access to the eastern markets. At the same time all that part of the eastern capital which was taking its chances in the home market—the manu-

¹ At the opening of the war they had doubled duties, bringing them up to about this average as a means of war revenue. But as there was practical certainty that almost nothing would be imported during the war this act should hardly be taken at face value.

facturers first of all—had good reason to second the western outcry for adequate roads connecting east and west.

By 1815 there was a mode of communication between east and west that was the fulfillment of the hopes entertained by Washington and the Potomac Navigation Company. It had been made possible by other inventors, who had done what Rumsey had failed to do. Part of the industrial revolution was the application of steam to all sorts of mechanical purposes. John Fitch, who died in 1798, came very near to inventing a practical steamboat. The first entirely successful steamboat was the *Clermont*, constructed by Robert Fulton in 1807. Destined to play a great part in the life of the west, the steamboats appeared on the western rivers in 1811. But even with the aid of the steamboat, the westerner found it very inconvenient to trade with Baltimore or Philadelphia or New York by means of the long river voyage to or from New Orleans and the still longer sea voyage through the Gulf and the Atlantic. Direct communication across the mountains was the only solution of this problem of east and west trade.

It was the same problem grasped so clearly by Washington and the Potomac Navigation Company. Individuals and localities took hints from Washington's clear thinking. Pennsylvania planned a system of canals linking Philadelphia with the Ohio. Virginia and Maryland hoped to tap the west from the Potomac valley. New York saw that it had the greatest opportunity of all. That Gate-country which had been the clew to the old fur trade, the relatively flat land of the Mohawk Valley, might yet become the greatest commercial artery in the country. Why not use that Gate-country as the site of a canal? In 1816 DeWitt Clinton became governor of New York. To build, through the Mohawk Valley, the great Erie Canal was his fixed purpose.

The same year Calhoun introduced into Congress a project known as the Bonus Bill. A new bank had recently been chartered (see page 396) and it was to pay the government a bonus of \$1,500,000. Calhoun proposed to use this money for the construction of roads and canals over the mountains. He was supported by Clay. The Bonus Bill was passed. But Madison vetoed it. He did not believe that the Constitution gave Congress the power to construct internal improvements.

The Bonus Bill was merely the point of focus in a controversy. The idea of internal improvements at federal expense appealed to the westerners and to the people of the middle states. It was condemned in New England and in the south. Those New Englanders who had not gone into manufacturing—still the majority there—whose hopes were in a revival of Atlantic commerce, saw no reason why they should be taxed, either directly or indirectly, for the benefit of the manufacturers and the west. The southerners, chiefly agriculturists, who neither bought nor sold to any great extent in the west, whose products went northward by sea or across the ocean, reasoned in the same way.

New York did not falter in carrying out its great project. Work on the Erie Canal was begun, July 4, 1817. Eight years later it was complete from New York City to Buffalo. Its opening caused an immediate drop in freight rates between east and west, changed the main course of traffic, and made New York the commercial metropolis of the United States. It also cleared the way for the close linking together of the fortunes of the northern east and the northern west.

(4) *Financial Sectionalism*

In 1816 for the last time the Federalists nominated a candidate for the presidency, Rufus King. Only three states, Massachusetts, Connecticut, and Delaware, voted for King. All the other electoral votes were given to James Monroe, the Secretary of State.

The Federalists had no definite issue upon which to make a fight with any hope of success. The New England merchants—in opposition to the New England manufacturers—were pretty much all that was left of the party. These were the momentary associates of the southern agriculturists in opposing Calhoun's policy of federal internal improvements. Vainly they had opposed him and contradicted their own Hamiltonian tradition upon the tariff. The Republicans had stolen their thunder. The Republicans now went so far as to take over and make their own that distinctively Hamiltonian measure, the national bank, which in the past their own leaders had so sharply denounced both as unconstitutional and as despotic.

When the old bank founded by Hamilton approached its end in 1811 a movement to recharter it was unsuccessful. But even then

the growth of business interests among Republicans gave the movement very strong support. The assets of the old bank were purchased by a leading Republican, the great merchant Stephen Girard, who continued its business as a private venture.

The lack of a strong national bank had contributed greatly to the embarrassment of the government during the war. In 1816 the second Bank of the United States received its charter from a Republican Congress. It was to have a capital of \$35,000,000, one-fifth owned by the government that was to appoint one-fifth of the directors. Its charter was to be in force twenty years. The bank was to hold the monies of the government without paying interest; it was to be exempt from taxes; its notes, redeemable in specie, were to be accepted in payment of government dues. This was the bank that had to pay the government a bonus of \$1,500,000 (page 394). Its headquarters were fixed at Philadelphia. Very quickly its extending business led to the establishment of no less than nineteen branches.

When this second Bank of the United States began business, January, 1817, there was utmost confusion in American finance. The passing of the old bank had been followed by a rash increase of state banks. During the hard times of the war these banks had issued notes with scarcely any regard to their power to redeem them in coin. Before the close of 1814 all the banks with the exception of the powerful ones of the northeast had ceased to redeem their notes. The country, outside New England, was flooded with worthless paper. Almost all the supply of specie had been drawn into the vaults of the New England banks.

The new bank received at once the confidence and support of the monied classes, and specie again came into circulation. Congress fixed February 20, 1817, as the date after which no payments would be accepted by the government except in coin, or notes of the Bank of the United States, or on notes of other specie-paying banks. Under this pressure the state banks were compelled either to go upon a sound basis or go to the wall. Very soon the flood of worthless paper was everywhere in the ebb.

In voting for the new bank, Clay, who had voted against the plan in 1811, frankly confessed that his change of front was due to "the force of circumstance and the light of experience." Many members of his party had not experienced a similar change. The

Republicans began to divide among themselves on financial questions.

The circumstances of this brief but momentous period, 1815-1819, need to be looked at from still another point of view. There was a rush of settlers westward immediately after the war. In the upper states the decline of commerce, the competition of western agriculture, the prospects of new routes of transportation, and the reluctance of many poor men with independent traditions to find work in factories, all combined to send a stream of discontented emigrants across the mountains. In the lower states, now that cotton planting had become a profitable industry, the small farmer of the back country was being overshadowed by that planter class which had once formed the bulwark of the Federalist party, which had drifted into the triumphant Republican party, but had brought with them their capitalistic instincts.

There was a scramble, one might say, for western land. Again, as twenty years before, the poorer classes made an outcry for cheaper farms. The land law of 1796 had permitted the sale of government land in parcels of 640 acres for not less than \$2 the acre. In 1800 William Henry Harrison had induced Congress to sell land in lots of 320 acres. It was to be offered first at auction and what was not taken was to be sold at the old price but with four years in which to pay for it.

Both actual settlers and speculators bought land under this law and borrowed money for their first payments. The west was thronged with people who were in debt to the local banks, and the banks, for the most part, had nothing but their own notes with which to carry on business. At the same time the rage for speculative banking on an unsound basis revived in the east. The close of the European war had decreased the demand for American products. All conditions in the United States were conspiring to bring on the general distress which closed this period and is known today as "the panic of 1819."

In the east unemployment was rampant. The tariff of 1816 had not succeeded in checking the inflow of European goods. The new manufactures languished. The numbers of debtors increased with terrifying rapidity. And again, very much as in the grim days of 1786 and 1787, the debtor classes cried out for government aid. They wanted laws prohibiting usury, and hampering the collection of debt.

Once more they turned to the state governments as closer to themselves, more responsive to popular feeling than the federal government.

The Bank of the United States was accused of being responsible for much of the general distress. It had begun its career by pouring out specie in return for notes of other banks. But it was not able to keep up this practice. It was compelled to restrict its loans, especially in the south and west, and to press the local banks to discharge their obligations in sound money. The local banks turned upon the host of borrowers whom they were financing, especially in land speculation. By 1819 general bankruptcy appeared imminent.

The excited populace demanded the destruction of the Bank of the United States. As Congress did not seem inclined to do this, appeals were made to the state governments to tax the branches of the bank out of existence. Several states responded to this appeal. A crisis had arisen that resembled the crisis of 1786. The actions of two states, Ohio and Maryland, and the way they were met, brings again into the foreground one of the greatest personalities of American history.

(5) *Reactions in Constitutional Law*

John Marshall, since his clash with Jefferson, following the advent of the Republicans to power, had watched with a stern eye tendencies which he could not approve. His constant aim was to exalt the power of the central government at the cost of the state governments. As early as 1809 he had a chance to do so. In the case of *United States vs. Peters*, he laid down the principle that a decision of a United States court could be enforced in defiance of the opposition of a state legislature. The case of *Fletcher vs. Peck* in 1811 turned upon the question how far was a state legislature, in its own affairs, at liberty to disregard the federal Constitution. A land grant made by the Georgia legislature was attacked as fraudulent, and by the succeeding legislature was rescinded. On appeal to the Supreme Court the case was decided against the legislature. Marshall held that the original grant was a contract, therefore that it could not be rescinded because the Constitution forbade a state to violate contracts. His next assertion of the paramount authority of the federal government did not come until after the war. In the con-

fusions of 1816, with all the squabbles of the war time fresh in mind, the Supreme Court of Virginia denied that there was a right of appeal in cases involving federal law from the state to the federal courts. The case as it came before Marshall is known as *Martin vs. Hunter's Lessee*. Marshall reasserted the right of appeal from the state to the federal courts.

The year 1819, that year of universal excitement, was one of the most notable years of Marshall's life. The famous Dartmouth College Case, decided that year, involved again the sanctity of contracts. The legislature of New Hampshire had amended the college charter with a view to getting control of the institution. The trustees carried the case to the Supreme Court. The defense was that the charter was a contract and therefore inviolable except by mutual consent. At a moment when there was wide popular clamor for action by legislatures for the benefit of debtors in ways that involved the disregard of contracts, Marshall reaffirmed the principle invoked in *Fletcher vs. Peck*, and made even more positive his assertion of the supremacy of the federal Constitution, which declares that contracts are inviolable by state action. Attendant upon the general principle were subtle questions of the power to alter a charter once granted, which have been further elucidated by later decisions of the Supreme Court. But they do not affect the central idea which limits all such powers by the federal Constitution.

The other decision of 1819, called by Professor Corwin Marshall's "most famous opinion," was rendered in the case of *McCulloch vs. Maryland*. Maryland was one of the states that had responded to the outcry against the bank. It had laid heavy taxes upon the bank's notes. This case revived the old argument of the "strict constructionists" of the Constitution, that the United States had no right to charter a bank. Marshall answered this argument by asserting the right in unconditional terms. He swept aside the theory that the Union rested on a compact between states. "The government of the Union, then," said he, "is emphatically . . . a government of the people. In form and substance it emanates from them. Its powers are granted by them, and are to be exercised on them, and for their benefit." He proceeded to deny the right of a state to impede the operation of a power possessed by the federal government. He reasoned "That the power to tax involves the power to destroy; that the

power to destroy may defeat and render useless the power to create; that there is a plain repugnance to conferring on one government a power to control the Constitutional measures of another, which other, with respect to those very measures, is declared to be supreme, are propositions not to be denied." The Maryland law was pronounced "unconstitutional and void."

At the moment when this decision was rendered the state of Ohio was attempting to break up the branch of the bank located at Cincinnati. Enormous taxes had been laid upon it. Defying the principles of *McCullough vs. Maryland*, Ohio continued its warfare upon the bank. Not until the panic of 1819 was a thing of the past, and Marshall had reiterated his position in *Osborn vs. the Bank of the United States* (see page 466), did the controversy end in a victory for the bank.

Meanwhile a committee of the Ohio legislature had officially denounced the conception of federal authority formulated by Marshall and had invoked the principles contained in the Virginia and Kentucky Resolutions of 1798 as forming the true conception of the Union (page 337).

It is in this culminating clash of Constitutional ideals that the troubles of the period of 1815-1819 find their deepest significance. An intricate criss-cross of sectional interests and of class interests had resulted in an irreconcilable conflict of opinion about the nature of the Union. More clearly than ever before a nationalistic conception had been boldly put into words as legal doctrine by a great genius. The idea that the Union was the creature not of a group of states but of an assemblage of people occupying their states was the same thing as asserting the existence of an American nation. Henceforth a belief in this idea—what we label "nationalism"—was a prime factor in American life.

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CHAPTER XXI

SECTIONALISM IS MADE MANIFEST

It must be quite obvious that the first twenty years of the nineteenth century formed a period of ferment—political, social, economic, and constitutional. It was also a period of ferment in morals and religion. All these trains of thought became entangled one with another. Men's politics were affected by their religion, and their religion in some cases became the bulwark of their interests, while both were used to mark off and circumscribe social groups. Out of all this confusion issued at last the idea of sectionalism, as the basis of the American community. Due to a strange complexity of causes, a "North" and a "South" were clearly defined in the year 1820. How this came about is the subject of the present chapter.

(1) A Complex of Religious Groups

At first thought it seems to be going very far afield when, in order to explain 1820, we strike back to religious disagreement before the beginning of the century. The connection will reveal itself as we proceed. The starting-point is the influence, generally anti-Christian if not anti-religious, of the French Revolution. This influence reached America in mild form through the writings of those republican idealists who were so deeply influenced by the Revolution—such men as Paine, Cooper, and Priestley. It found here a mental soil partly prepared to receive it. The revolt of the Americans against the Crown had carried with it a general impulse to overthrow all sorts of restrictive legislation. In the eagerness to be done with tyranny, established churches were denounced along with the Crown. Kings and priests were joint objects of hatred. A great monument of this revolt is the Bill of Rights adopted by the Virginia Convention, June 12, 1776.¹ It was developed into the famous Act

¹ The last article provides "that religion, or the duty which we owe to our Creator and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity towards each other."

for Establishing Religious Freedom enacted by the Virginia legislature at the instigation of Jefferson (1785)—the first amendment to the Constitution of the United States, built upon Jefferson's work, providing that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

Thus the Americans had broken away from the old idea of union of church and state and had faced about toward a purely lay conception of religion.

This revolutionary change, as is always the case, had various effects in various minds. In not a few minds the movement to disestablish churches widened into a tendency to disregard religion altogether. The result was a rather widespread acceptance of the vague belief labelled "deism," which admits the existence of some sort of divine power but denies all knowledge of the nature of that power. Among the French Revolutionists the extreme radicals were generally atheists; the temperate ones generally deists. Several books, inspired by the Revolution, became popular in America as the old century closed and the new one began. Perhaps the chief of these was *The Age of Reason*, by Thomas Paine, and hardly less important was his companion volume *The Rights of Man*. Joel Barlow translated a French work by the Count de Volney which bore the English title, *Ruins, or Meditations on the Revolutions of Empires*. Though Paine and Volney were relatively moderate in their views, they found in America violent disciples. Many of the more furious democrats rang the changes on the assumed inevitable conjunction of "Kings and priests." Conservative people began to fear deism as if it were in fact the predestined religion of democracy. They found some ground for their fears on the frontispiece of the organ of the freethinkers, a periodical called *The Prospect*, founded by Elihu Palmer (1804). This frontispiece showed an altar to Truth and Justice. The table of the Ten Commandments lay shattered at its foot while exalted in their place were *The Age of Reason* and *The Rights of Man*. Of course, this meant that already there was the beginning of a division among freethinkers. Jefferson was a deist. He belonged, however, to what might be called the conservative wing of deism. He was not far removed from another group of unorthodox thinkers who had developed in New England but whose intellectual origins did not derive from France. The New England Uni-

tarians were products of the reaction against the Great Awakening. In them at last the Awakening evoked a doctrinal issue. The insistence by the leaders of the Awakening upon traditional Trinitarian dogma was followed a generation later by its denial. How far deism contributed to stimulate the reaction it is hard to tell. The fact is that about the same time men like Franklin and Jefferson, who were saturated in French thought, and men like John Adams, who were hostile to all things French, took somewhat the same way of thinking. The Unitarians did not go as far as the deists. While the deists accepted the idea of a divine power, their typical mood with regard to it was indifference. They put it out of their minds as something too far away, too little known, to have significance in their daily lives. For rules of conduct they turned to experience and experience only. The Unitarians, on the other hand, retained the traditional Christian preoccupation with the idea of a divine Being that human beings could know and love. They continued to believe that the will of God, not simply the experience of man, was the true foundation of right and wrong. They differed from their orthodox Christian brethren in repudiating the philosophical conception of the Trinity. They denied the divinity of Jesus. The advent of Unitarianism as a power in America may be dated from 1782, when the congregation of Kings Chapel, Boston, formerly Episcopalian, accepted the new doctrine. The movement spread slowly during the next thirty years. It captured many congregations, chiefly in the Congregational Church. A man of genius, William Ellery Channing, became its chief apostle. It became almost universal in eastern Massachusetts and took virtual possession of Harvard University (about 1805). At length the Unitarian congregations were organized in a distinct church by the formation of the American Unitarian Association (1825).

Unitarianism and deism, between them, led to still another reaction. It has sometimes been called the Second Awakening. The central figure is a grandson of Jonathan Edwards, Timothy Dwight, President of Yale. When he assumed the presidency of the college (1795), French influence was rampant. Most of the students were in open opposition to Christianity. They amused themselves by assuming the names of famous French skeptics and addressing each other as Voltaire, or Rousseau, etc. Dwight turned his senior class into a

philosophical debating society in which he was the protagonist of Christianity. It is doubtful whether anything more far-reaching has ever occurred in an American university. His brilliant personality captivated the students as men, while his subtle powers of dialectic reorganized their ideas. Very rapidly Yale became a stronghold of recovered orthodoxy.

And now one has good reason to recall the penetrating remark quoted on the fly-leaf of this volume. No one can deny Doctor Jameson's thesis "that all the varied activities of men in the same country and period have intimate relations with each other, and that one cannot obtain a satisfactory view of any one of them by considering it apart from the others."

We have carried this religious subject into the first decade of the new century. This is the decade in which change, the shifting of interests, expansion, are at work yeast-like in everybody's mind. A common temper is animating all America. While material expansion is the direction it takes in the imagination of numbers of people, spiritual expansion is the direction it takes in others. Those years in which the imaginative westerners were clamoring for the acquisition of Florida and the conquest of Canada witness as bold a quest of new fields of adventure by easterners who were equally imaginative but in a totally different way. There was a sudden outbreak of zeal for the conversion of Asia to Trinitarian Christianity. The movement may be traced to a picturesque incident in the summer of 1806. Five students of Williams College went out for a walk. A thunderstorm came up and they took shelter in the lee of a huge haystack. These young men, the chief of whom was Samuel John Mills (1783-1818), were feeling the influence of the Second Awakening. They were the same sort of human stuff that, in brothers and cousins of theirs, was going west, or sailing merchant ships on far voyages to Asia or the islands of the Pacific. They held a prayer-meeting beside the haystack, and found that all of them were on fire to convert Asia. From that hour Mills became the leader of a movement for foreign missions. His appeal was mainly to the Congregational Church. In 1810—the year of those excited elections which gave the War Hawks the control of Congress—the General (Congregational) Association of Massachusetts organized the American Board of Commissioners for Foreign Missions.

Out of this beginning grew the world-wide adventure of the American expansion, into pagan lands, of orthodox Protestant Christianity. All the Protestant denominations, either through the American Board or through similar organizations of their own, very soon were sending missionaries to India, China, and the Pacific Islands. Their spirit of adventure, their fearlessness, and their zeal, gave to this early pioneering chapter in the history of the missions the same romantic features that the western pioneers displayed on land and the commercial pioneers displayed upon the sea.

We shall discover presently that social and political affiliations were latent in most of these movements. For example, the Trinitarian Renaissance, because of its hatred of deism, tended naturally to look askance at the party which had so many deists among its members, the party that boasted its love of heretical France. On the other hand, religious quarrels were sometimes mitigated by politics. The Unitarians represented especially the aristocratic moneyed class of eastern New England. Despite their intellectual impulse to be friendly to all freethinkers and to look askance at revived orthodoxy, their political views drove a wedge between them and the Republican deists and predisposed them to an alliance in politics with those anti-Republicans of whom Dwight was a typical representative. Another demonstration of the truth of the adage that politics makes strange bedfellows.

There was another religious movement which was also destined to become entangled in politics. Again we must cast back for the period of a generation. The first Methodist congregation in America was organized before the Revolution. Wesley was not in favor of the separation of the colonies from the empire, and all but one of the Methodist clergy in America went back to England during the war. Francis Asbury refused to leave "such a field for the gathering of souls to Christ as we have in America." This saintly man was the true founder of the Methodist Church in the United States, which was formally organized in 1784. At Asbury's death in 1816 the membership was 200,000, with 700 itinerant preachers. Again itinerancy had become a prime factor in American life. Asbury himself was perhaps the greatest of all the American itinerants.

To Asbury, as to those great itinerants of two generations earlier, the needs of the poor people were the first justification of his min-

istry. His annual salary was but eighty dollars. Though a bishop of his church he had no fixed home, but wandered the length and breadth of the land holding services, public and private, in thousands of houses.

Like his predecessors, the itinerants of the older denominations, he gave his chief attention to the west. He organized "circuits" round which Methodist itinerants, practically unpaid, rode on horseback, indifferent to hardship, bringing the consolations of a dauntless form of orthodox Christianity to unnumbered lonely homes. In a grand sense this new communion might be called the Church of the Poor Men. Because it was that, it illustrates once more the intricate confusion of the time.

The new church was most significant on the frontier, where the Republicans were dominant politically. At first thought, it might seem that the Methodists had been predestined to reinforce that party with all its strength. But the intermingling of political and religious beliefs must not be forgotten. One of the questions that might well have arisen in the mind of any thoughtful observer, in the early years of the new century, was whether the orthodox Methodists would draw close politically to the group of Dwight and the orthodox aristocrats, or because of their political sympathies join the Republicans, who claimed to be the champions of the poor but whose ranks were so thick with freethinkers.

Many circumstances showed that the political and religious groups overlapped in bewildering ways. The lines separating them were so tangled together that the political-religious map of America in, say, 1804, was very like a Chinese puzzle. A study of the life of Dwight would focus almost all the perplexities of the hour. He was becoming furiously antagonistic to Jefferson, the Republicans, the south. But it would be hard to say whether the mainspring of his course was scorn of democracy, or hatred of deism, or dread of the section that was backing the new Republican party. Conversely, his opponents in Connecticut formed another case of the strange bedfellows. Connecticut, still thoroughly aristocratic, had not joined in the movement for church disestablishment. The Congregational Church was in effect an established church. While Dwight was denouncing deists, Republicans, and southerners—calling them all "Jacobins"—the state was ringing with the protests of a political opposition formed

by an alliance of extreme freethinkers with certain orthodox believers who hated deism only less than they hated the ruling class. The Baptists and other "dissenting" denominations joined the Republicans mainly to overthrow the established church.

Our close observer in the year 1804 might have said with justice that, because of the intensity of feeling among all the religious groups and because of the way their social and theological interests were entangled with politics, there was little likelihood of any effective opposition being formed against the new party that seemed for the moment to hold the reins of power in a sure grip. At the same time he might have pointed out that non-political interests counted for so much just then, that any new deep idea, if it involved in any way social distinctions or religious feeling, might split up almost any political group and cause a recombination of its political elements in a pattern that would come as a surprise. And just this was what happened. The revival of interest in slavery was the new idea.

(2) The Revival of Slavery

When Asbury became a bishop (1789) the Methodists formally decided that slave-owning was not to be tolerated among them. The Quakers had set them the example (1770) and soon afterward (1787) were able to boast that no Quaker owned a slave. The Baptists denounced slavery (1789). The Constitution fixed the year 1808 as the time at which the African slave trade should cease to be lawful. After that, it was to be regarded as piracy.

Slavery had become unpopular. All the philosophical radicals of 1776 were opposed to it, and many of the conservatives. Every state north of Delaware legally abolished slavery before 1804.¹ The Republicans, at first, with their friendliness for the French Revolution, were eager to get rid of slavery. As the new century got under way it was generally believed that slavery was a thing of the past, destined quietly to die out everywhere. Washington in his will had emancipated his slaves.

At Washington's death the epoch-making machine, the cotton gin, had been in use six years. Cotton was swiftly becoming a valuable crop. A plentiful supply of cheap labor would hasten the development of a cotton industry. Here was an opportunity to use slave labor

¹ Not always without conditions. See page 413.

to advantage. Suddenly cotton planters began to look upon slavery from a new angle.

There was another southern crop in raising which slaves were even more useful. Along the rivers of the Carolinas rice was grown in malarial regions where white men could live only part of the year. Negroes are immune to malaria.

In South Carolina, despite the permission to import slaves granted by the federal Constitution, there was an act forbidding such importation. In 1803 a bill to repeal this act was laid before the legislature of the state. In the debate which followed, Robert Barnwell prophesied the most disastrous results if the law should be repealed. He foretold a ruinous era of speculation in slaves.

A still more distinguished opponent of the movement was Joseph Alston, son of the largest slaveholder in the state. Alston was a grandee of the old Carolina tradition, who regarded himself as a feudal baron, the guardian as well as the owner of his slaves, bound in honor to protect their happiness. He despised the commercial interests that looked on slaves as a stock in trade.

The controversy over the proposed bill was the opening of many significant changes in American life, not the least of which was the sharp opposition of the feudal and the commercial conceptions of slavery. The first important victory of the commercial conception was the failure of Alston and Barnwell and the other conservatives of slavery to prevent the repeal of the Anti-importation Act. Early the next year the act was abolished and the ports of South Carolina were thrown open to the slave trade. A deluge of Africans was poured in. During the next four years, at the one port of Charleston, 202 slave ships delivered 39,075 slaves.¹

There was now a group of wealthy people definitely committed to the preservation of slavery who could be relied upon to oppose any movement to restrict it. The tide of sentiment which for more than

¹ "In November, 1803," says a Charleston bookseller by the name of Thomas, in his *Reminiscences*, "I returned from my fourth voyage with a printed catalogue of fifty thousand volumes of books in every branch of literature, arts and sciences, being by far the largest importation ever made into the United States. I had only got them opened and arranged for sale three days when news arrived from Columbia that the Legislature then in session had opened the port for the importation of slaves from Africa. The news had not been five hours in the city when two large British guineamen that had been lying off and on the port for several days, expecting it, came up to town and from that day my business began to decline. . . . Previous to this the planters had large sums of money laying idle in the banks which they

thirty years had been setting toward the overthrow of slavery had begun to ebb.

The effect of this upon the country at large was not immediately apparent. Ten years passed during which other economic conditions led other southerners to take an active interest in slavery. Those financial troubles which followed the War of 1812 (page 397) included a disastrous fall in land values throughout the eastern south, especially in Virginia.

Immediate use of slaves on eastern plantations was not the only reason for a revival of interest in slavery. In many parts of the eastern south the soil was exhausted. Tobacco, one of the crops that soon wears out the soil, had ruined a considerable part of Virginia and the Carolinas. Planters were moving westward searching for fresh soil in the wide, unsettled spaces of the southwest, even crossing the Mississippi into the region that was soon to include the states of Arkansas and Missouri. This movement to the frontier was different in a vital respect from any that had preceded it or was then going on; it differed from the early migrations that settled Watauga, Kentucky, the Northwest Territory, and from the contemporaneous one that was pouring into the new states above the Ohio and feeling out across the Mississippi into the upper west. The early southern and the northern migrations were composed for the most part of settlers seeking their fortunes and prepared to work their land by their own labor. They had left their standard of living behind them, and were willing to let frontier conditions develop a new standard. On the other hand, this later southern migration was composed of people who were bent on taking their standard of living with them, who had an aristocratic conception of social life, who wanted a plentiful supply of labor with which to work the new land they expected to acquire. In a word, they set out with the deliberate intention of extending "the plantation system"—the established mode of living of the eastern south—to the west.

Their need of cheap labor created a new phase of the slave trade—

liberally expended not only for their actual but supposed wants. A great change at once took place in everything. Vessels were fitted out for the coast of Africa, and as fast as they returned their cargoes were bought up with avidity, not only consuming the large funds which had been accumulating, but all that could be procured, and finally exhausting credit and mortgaging the slaves for payment, many of whom were not redeemed for ten years afterward to my knowledge."—Theodore D. Jervay, *The Slave Trade, Slavery and Color*, page 32.

the domestic slave trade. It gave all the western south an active motive for encouraging the breeding of slaves in the eastern south, and gave the eastern south a motive for desiring to see the slave market in the west grow and be protected. Thus a second new interest in the protection of slavery had silently come into existence.

A third grew out of the financial troubles that followed the war. When the opposition to the bank was at its height (page 398) the landholders in Virginia shared the general difficulty in raising money. Plantations were mortgaged and many planters ran heavily into debt. At the same time, owing to the exhaustion of the soil, the value of the lands had fallen so low that they could not be sold at a profit. The planter who was in debt had but two courses open to him—to sell his slaves, go west, and start over not as a planter but as a mere farmer working his land alone, or to extend his borrowing a while longer, go west with all his slaves, established there the plantation system, with his slaves as his capital, and through their labor on fresh soil pay off his debts. If he chose the former course his standard of living would disappear, he would not be able to transplant the social order which he loved. He resolved not to make that choice. He would recover prosperity for himself and his family through the second course. Thus was created a powerful interest in keeping open for slave settlement the land beyond the Mississippi where the Northwest Ordinance did not apply.

(3) The Background of the Missouri Compromise

Many of the impoverished planters, especially the Virginians, were moving west along a path that extended through Kentucky, avoided the free land of the old Northwest Territory, and reached Missouri. The vast indefinite area of French Louisiana had passed through several subdivisions. In 1812 the upper part became Missouri Territory. Before the end of the second decade the portion which now forms the state had sufficient population to justify its organization and admission to the Union. But this population was not drawn entirely from the south. The northern migration into the Ohio country was flowing on and had crossed the Mississippi. It was composed mainly of Republicans. So steady was the outflow from New England that districts which were strongly Republican in

1800, fifteen or twenty years later had lost their Republican majority.

With these needy frontiersmen came the Church of the Poor Men. With it came the question of the morality of slaveholding. The Methodists had reconsidered their rule against the holding of slaves. As the result of a controversy among themselves they had altered their *Book of Discipline*, permitting their southern brethren to be silent on the subject. But the question had come into their minds to stay. A Missouri Methodist named Humphrey Smith was one of a minority in the territory that were seeking to make opposition to slavery a condition of church-membership. He boldly took the position at a public meeting that no Methodist had a right to hold slaves. Smith was driven from the meeting by an angry mob. Subsequently the neighborhood showed where its sympathies lay by getting him indicted for provoking a riot.

The Methodists were not alone in thrusting the abstract question of slavery into prominence. In 1818 the General Assembly of the Presbyterian Church passed resolutions denouncing the institution as utterly inconsistent with the law of God.

Doubtless they did not perceive that unaware they were helping to precipitate a political crisis. The year previous, one of the strangest of political combinations had been effected in Connecticut. The Episcopalians—socially the most select group there, with the least sympathy for democracy—combined with the Republicans to break the power of the Congregational Church. The alliance captured the legislature, held a constitutional convention, put an end to the union of church and state in Connecticut, and established manhood suffrage. This "reform" party even debated giving suffrage to negroes, but decided against it, in a constitutional convention, by the vote of 103 to 72.

What to do with the free negro was a troublesome question in many minds. The belief that he had no place in a community built on Anglo-Saxon traditions was wide-spread. In three of the northern states—Ohio, Indiana, and Illinois—laws had been enacted which forbade him to testify in court in any case involving a white person. This unwillingness to tolerate a population of free negroes caused many southerners to oppose the emancipation of slaves. The same year that saw the revolt of the "reform" party in Connecticut, saw

the establishment (1817) of the American Colonization Society. This society seemed to have found the solution of the problem of the free negro and to have removed that objection to emancipation. It aimed to induce Congress to plant a negro colony in Africa. Bushrod Washington was its first president. In time it brought about the formation of the Republic of Liberia (1822) settled by freed slaves from America.

Another new organization was thinking hard about the condition of the negro. The American Bible Society, designed to promote religious reading, came into existence in 1816. Conspicuous among its supporters was that same Samuel John Mills who had been the chief mover in bringing about the formation of the American Board of Foreign Missions. His attention had been arrested by conditions in his own country. Twice he made extensive journeys in the south and west—"field surveys" they would be called today—and prepared a report on the condition of the blacks, slave and free, that deeply impressed the denominations interested in the Bible Society. The Presbyterian Synod of New York and Philadelphia set up a school to educate negroes who should become teachers and clergy among their own race. The year following, the Presbyterians issued their denunciation of slavery.

Meanwhile slavery had been revived as a political issue. Throughout the north it was everywhere discountenanced by law, but had not been entirely abolished. Three northern states had done away with it altogether during or just after the Revolution—Vermont (1777), Massachusetts (1780), New Hampshire (1784). Five states had provided for gradual emancipation through which slave children were to become free on reaching a specified age. Laws of this sort had been passed by Pennsylvania (1780), Connecticut (1789), Rhode Island (1784), New York (1799), New Jersey (1804).

Though slavery was on the wane in the north, a political movement to hasten its legal disappearance was now intertwined with these religious movements that had a similar aim. In 1817, when the new missionary fervor (page 413) was exciting the northeast, shortly after Mills had made his examination of slavery in the frontier lands, New York rescinded its gradual emancipation law and provided for unconditional abolition in 1827. Two years after

this law was passed, a New York politician, James Tallmadge, brought the slavery question before Congress and made it for the first time definitely a national issue.

(4) Missouri in Politics

Who can fail to see that in 1819 there was a wide-spread undercurrent of explosive thought working like a leaven in many parts of the country, especially among those powerful religious organizations that reflected the expansive tendencies of the time and were pre-occupied with the west. An event which occurred in the year 1819—the same tragic year in which the panic and the bank controversy and the financial stringency south and west threw all of secular America into a passion, and threw much of it into despair—this event came upon these excited denominations like a thunderclap. In response to a petition from the legislature of the territory of Missouri, a bill was laid before the House of Representatives authorizing the people of Missouri to form a state government (February 13, 1819). Thereupon, James Tallmadge moved an amendment prohibiting the further introduction of slaves into Missouri and providing that all children of slaves born subsequent to the admission of the state should become free at the age of twenty-five. A few days later (February 17) a bill was introduced organizing Arkansas Territory. John W. Taylor moved that it also be amended practically as Tallmadge proposed to amend the Missouri bill.

The House burst into a storm of debate. Suddenly it was revealed that on this issue the apparently omnipotent Republican party might go to pieces. Both Tallmadge and Taylor were Republicans, but both were from New York. The debates on the two bills also showed that the northern Republicans were pretty generally opposed to slavery. At length the Missouri bill, including the Tallmadge amendment, passed the House by a vote of 97 to 56, only six northerners voting against it. The Senate refused to accept the Tallmadge amendment and the bill was lost. The Arkansas bill produced a sort of compromise. On a test vote the House divided evenly and only the casting vote of the speaker saved the bill from defeat. Eventually, it passed both houses in a form that permitted slavery in Arkansas and was signed by the President.

History is full of strange coincidences. The summer of 1819 was one of the bitter summers of the American story. The general distress and the clash of great principles of constitutional law were enough by themselves to produce a crisis of interest and emotion. Add to these the social dissensions, the war of classes in New England, the recent victory of the "reform" party in Connecticut, the discontent of the poor men marching west, the influence of Mills and the Bible Society, the ease with which religious antagonisms translated themselves into political antagonisms, and you have an atmosphere in which any new issue which appeared to have a moral or humanitarian aspect would be sure to rouse the most profound anger. The strictly political attitudes must also be taken into account. The feeling between the remnant of the Federalist party and their conquerors, the Republicans, was never more bitter. The Federalists had lost the fight, they were a dying party, but nothing would please them more than to split the ranks of their enemies and be revenged upon the Republican leaders by undermining their power. Furthermore, in their minds the sectional tyranny made use of by the War Hawks in 1812 still rankled. The Federalists differed among themselves on the subject of slavery but they were all at one in their feeling that the south, especially Virginia, had them under its thumb. Political vengefulness and sectional jealousy were ripe to make common cause with the opposition to slavery in driving through any proposal that would split the Republicans or oppose the interests of the south.

A volume—several volumes—might be written on the human tempest of the summer of 1819. All the forces that for any reason opposed the extension of slavery united in a furious propaganda, throughout the north and west, to prevent the passage of the Missouri Bill. Great public meetings were held. Representatives or senators who favored the bill were burned in effigy. Slaveholders were denounced as if they were embodiments of Satan. All the stored-up political discontent of the broken Federalists was given voice denouncing the south. Republicans in the states where slavery was prohibited astonished and alarmed their leaders by disregarding for the moment their party affiliation. The vast majority of northerners, both Republicans and Federalists, though animated by a variety of motives, found themselves suddenly in accord on a po-

litical question. They were determined to prevent the extension of slavery.

In the south, on the other hand, a corresponding unity was also discovered. Here again there was much variety of motive. The slave trader, the slave speculator, the western planter demanding cheap labor, the bankrupt eastern planter, the Republican politician suddenly afraid that the party was breaking in two, all these found a common purpose. They must prevent the enemies of slavery from "encircling" them—as military men would say—sweeping round them on the west and crowding slavery back across the Mississippi.

The leading politicians fell into a panic. Come what might they must prevent the disruption of the Republican party. At the next session of Congress, they attempted a compromise. Massachusetts was willing to see the district of Maine become a state of the Union. The first move toward compromise was the proposal to pair the two states, letting in Missouri with slavery, Maine without. But this was not a sufficient concession to the opponents of slavery. Senator J. B. Thomas, of Illinois, devised the Missouri Compromise, which brought the discussion to an end and made possible the reunion of the northern and southern Republicans. He proposed to admit Maine and Missouri as already suggested but to provide also that in all the territory obtained from France north of $36^{\circ} 30'$ north latitude, slavery should be forever prohibited. So great was the alarm of the Republicans in Congress that several of them now changed sides, and the compromise was accepted. The northerners cast all but four of their votes for the compromise. Almost half the southerners were for rejecting it.

(5) The Sectional Period of American History

What does the compromise signify?

First of all, it showed that every trace of the old idea of government by unanimity (chapter XII) had faded from the minds of most, if not all, Americans. It thrust home the warning that every one should have learned, but which many people did not learn, from the action of the War Hawks in 1812. It proved that whenever the country should divide sharply into definite geographical sections neither would have any hesitation imposing its will on the other, had it power to do so.

Second. The votes in Congress gave dramatic emphasis to the geographical distribution of seats in Congress. In the First Congress the free states had five more representatives than the slave states. In 1820, they had a majority in the House of twenty-three. This was due partly to the abolition of slavery in old states; partly, but slightly, to emigration, which went to the north or to the west rather than to the south; chiefly to a movement northward of discontented southerners. As the planters pushed westward they either bought out the small farmers, or undersold them through the competition of slave labor. These poor whites drifted northward into the free states. These economic exiles from the south brought with them a hatred of the planter class that in time was to count for much.

Third. As it happened, the Senate, at the close of the Missouri debate, was one-half from free states, one-half from slave states. The compromise accepted this division as a tacit basis of future action. During the next twenty years—until California forced itself into the Union as a free state in 1850—this sectional balance was preserved in the Senate, and new states were admitted in pairs, one slave, one free.

Fourth. It cannot be said that the compromise finally created sections, but it can be said with truth that the compromise in some ways defined sections. By creating two distinct areas with conflicting social systems it marks the parting of the ways where "north" and "south" each began to be conscious of itself as, in many respects, a different land from the other. The separation is not complete. It is social, economic, rather than political. During the next forty years northerners and southerners will often be able to work cordially together in one political party. But all the while they will be increasingly conscious of a feeling for their section which at times will break in upon the feeling for their party and produce confusion. Whenever a political issue appears to involve a sectional issue parties will be threatened with the same danger which faced the Republicans in 1820. Therefore, during the forty years between 1820 and 1860, American politics, however consistent on the surface, will rest on a criss-cross of motives often difficult to estimate accurately.

Fifth. The last and most important significance has not yet been indicated. Just as the clash of actual interests over the financial

stringency rose into a clash of constitutional theories and culminated in the doctrine of nationalism (page 399), so this slavery dispute ran about the same course and immensely emphasized the basic disagreement of the time. Marshall's decision in *McCullough vs. Maryland* was rendered March 6, 1819. Its epoch-making idea was the doctrine that the central government was created not by the states but by the whole population of all the states, the American nation, and was answerable to that nation alone. During 1819 this great idea was in all men's minds, but no one made a distinguished reply to it. Out of the turmoil of the desperate year one fact loomed larger and larger. If Marshall was right, there was no adequate protection for any individual state against the power of the central government, except so far as that government might be restrained by the provisions of the Constitution. Above all there was no way for any state to get out of the Union except by consent of the central government. The general acceptance of Marshall's doctrine would put an end to all such political remedies as were proposed by the New Englanders in 1806 and 1814, and would also put an end to the doctrine cherished everywhere in the south, that the Constitution was a compact among sovereign states all of which were free to withdraw from the Union and resume their independence whenever they pleased. Marshall's doctrine also carried with it by implication the right of a numerical majority of the nation, wherever located, to impose its will on a minority. Furthermore, it carried the implication that the new territory acquired from France was the property of this unified nation, of which the central government was the agent, and not the joint property of the several states.

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CHAPTER XXII

FOREIGN AFFAIRS, 1815-1827

(1) The Northern Border

WHILE the confusions following the War of 1812 were passing away and revealing in their place new internal issues which will appear in the next chapter, a number of foreign complications were straightened out. First of these in time, and perhaps in importance, was the Agreement of 1817. A reaction of good feeling caused the United States and the British Empire to make an agreement which is a great landmark in the efforts of nations to live at peace. It was agreed to treat the Great Lakes as permanently neutral waters and to exclude from them ships of war.¹ The agreement has continued in effect to this day.

As the Treaty of Ghent left all the old disputes between the two countries still open, negotiations for a new settlement were carried on until 1818. The Americans sought in vain to bring about a general opening of the ports of each country to the ships of the other on terms of equality. England retained her former restrictions on trade. Both in the West Indian trade and in the trade with England's Oriental ports, Americans were still hampered by the Navigation Laws. We could not engage in direct trade between such ports and London. It will be seen later that the abolition of the Navigation Laws, permitting Americans to compete with Englishmen in that trade, was eventually an event of great importance.

The northern boundary was still undetermined. The geography

¹ Monroe to Congress, December 2, 1817: "I have the satisfaction to inform you that an arrangement which had been commenced by my predecessor with the British government for the reduction of the naval forces by Great Britain and the United States on the Lakes has been concluded by which it is provided that neither party shall keep in service on Lake Champlain more than one vessel, on Lake Ontario more than one, on Lake Erie and the Upper lakes more than two, to be armed each with one cannon only, and that all the other armed vessels of both parties, of which an exact list is interchanged, shall be dismantled. It is also agreed that the force retained shall be restricted in its duty to the internal purposes of each party, and that the arrangement shall remain in force until six months shall have expired after notice given by one of the parties to the other of its desire that it should terminate."

of central North America was not well understood. Just what the United States had acquired in the cession of Louisiana was also doubtful. A further complication was the conflicting claims of the two countries as to Oregon (page 355). A treaty negotiated in 1818 made a curious compromise over Oregon (see page 427), but closed the dispute along most of the northern boundary. The line was to be drawn from the northwestern point of the Lake of the Woods, due north or due south, as exploration should determine, to the 49th parallel and along that parallel to the summit of the Rocky Mountains.

A third open question affected our northern border. Ever since colonial times the cod fisheries on the banks of Newfoundland and along the adjacent coasts had been of major consequence to New England. The Treaty of 1783 had confirmed the Americans in the enjoyment of their former privileges. The northeastern fisheries had been interrupted by the war and in the negotiations for the Treaty of 1818 the British at first took the ground that the interruption was to be permanent, that the Treaty of 1783, so far as it was a commercial agreement, had lapsed. Eventually, some concessions were made. It was admitted that the Americans were free to carry on fisheries in the open sea; they renounced their claim to take and cure fish along the Canadian coasts; but they were confirmed in the privilege of carrying on their fisheries off the Magdalen Islands, and off certain portions of the coast of Newfoundland, Labrador, and the Gulf of Saint Lawrence.

(2) The Southern Border

What is sometimes called the Seminole War had broken out on our southern border. A portion of the Creek nation had refused to acquiesce in the cession of Indian lands made at Fort Jackson soon after the Creek Waterloo at Tohopeka (page 378). These protesting Creeks fled into Florida and joined the Seminoles. Numerous negroes, escaped slaves from Georgia, did the same. A nucleus for guerilla warfare against the United States was formed by a British adventurer, a Colonel Edward Nichols, who built a fort on the Appalachicola and promised the Indians British support. His course was promptly disavowed by the British Government. He withdrew

from Florida and his fort fell into the hands of the negro allies of the Seminoles.

The Creek newcomers made the fort their headquarters. In a short while Creeks, negroes, and Seminoles were raiding the border lands of the United States. Two other white adventurers encouraged them in their reckless course. These men were a Scotch trader named Arbuthnot and a Captain Ambrister.

The Treaty of 1795 required Spain to prevent her Indians from annoying the United States. As Spain either could not or would not do this, orders from Washington (December, 1817) instructed Jackson to do so. He was quite eager for the task. Marching down from Tennessee at the head of western volunteers he quickly destroyed the power of the savages, seized Pensacola, and also the Spanish settlement of Fort Marks. There he found Arbuthnot and Ambrister, whom he promptly hanged.

Spain attempted to take a haughty attitude, demanding the evacuation of her territory and the punishment of Jackson. John Quincy Adams, now Secretary of State, very vigorously made it clear to the Spaniards that their course was futile. Though it was—and still is—an open question just what orders had been sent to Jackson, the United States was ready to stand behind him. Having made this plain Adams proposed a final settlement of the Florida problem through a sale of the province. After due appearance of deliberation Spain extricated herself from a trying situation by accepting the proposal. The Treaty of 1819 transferred to the United States all Spanish rights in the Floridas. The United States agreed to assume the claims of its citizens against Spain not exceeding \$5,000,000.

But this was not all that was accomplished by the Treaty of 1819. The boundaries of Louisiana were uncertain on the south as well as on the north. Spain, with Mexico still in her possession, was our neighbor in the southwest no less than in the southeast. The Treaty of 1819 drew the northern boundary of the Spanish possessions along the Sabine River from its mouth to the 32d parallel, thence due north to the Red River; along the Red River, and the 100th meridian, and the Arkansas River to its source; thence to the 42d parallel, and along it westward to the Pacific.

(3) The Monroe Doctrine

An international crisis was produced by the efforts of the Spanish colonies to attain independence. Ever since Miranda had his secret negotiations with the Federalists (page 341) revolutionary movements had been astir to the south of us. The confusions in Europe during Napoleon's time had brought about new relations between those colonies and the rest of the world. While Napoleon dominated Spain, and the British dominated the ocean, the old Spanish commercial system could not be enforced. Other countries, especially England, began trading with Spanish America. At the same time there were revolts in the colonies and the repudiation of the Napoleonic régime. Venezuela had declared itself independent and for a short time recognized Miranda as its president.

The fall of Napoleon and the restoration of the Spanish Bourbons in the person of Ferdinand VII did not check the revolutionary movement. Rather, the movement was accelerated through fear of reactionary absolutism. Argentina declared itself independent in 1816, and all the other Spanish colonies rapidly followed her example.

Meanwhile in Europe the forces of reaction, led by the astute Metternich, had been drawn into close co-operation. By 1819, while we were bargaining for Florida, Spain, France, Austria, Prussia, and Russia were acting together in what is generally known as the Holy Alliance.¹ These governments were all at the moment in the hands of reactionaries who supported Ferdinand VII in a brutal stamping out of liberalism in Spain. His course was a promise of what Spanish American colonies might expect if he ever regained control of them. In the United States there was an active movement to recognize their independence. Clay was its particular champion. In 1820 he induced the House to pass a resolution favoring recognition.

Both the American Republic and the British Empire took keen interest in the course of Spanish diplomacy. England wanted to build up a new market in South America; the United States had its traditional interest in the spread of republican government. A decree

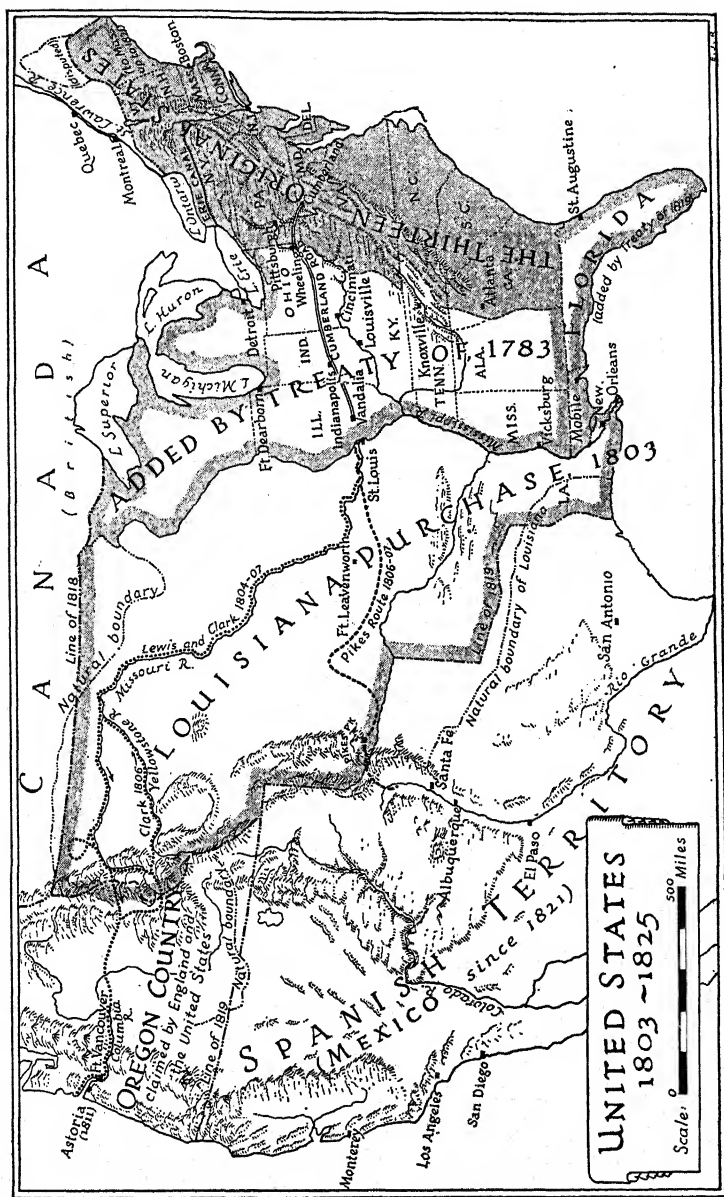
¹ Strictly this term applies to an earlier league inspired by Alexander of Russia. Common parlance has slipped the term over to this later combination of reactionary powers.

of the Russian Czar, Alexander I (1821), struck at the interests of both powers. In a vast region on the Pacific coast northward of San Francisco Bay, Russia, England, and the United States all had put forth vague but conflicting claims. Alexander suddenly drew his boundary line farther south than either of the others would accept (see page 426).

Just how this action affected Washington has not been determined. But the following spring Monroe came out bluntly (March 8, 1822) for recognition of the revolted colonies. Later in the same year (October) was held the Congress of Verona, in which were represented Russia, France, Austria, Prussia, Spain, and England. The congress decided upon active support of Ferdinand VII in all his reactionary policy. France was designated as the power that was to send an army to his assistance. England protested this action and withdrew from the congress. Though hitherto she had co-operated with the continental powers, her co-operation was now definitely at an end.

George Canning was the director of England's foreign policy. A keen mind possessed of strong imagination, he saw with the vision of genius the far-reaching possibilities of the moment. Just when England was aiming to build up new markets in the west and the United States was possessed by its enthusiasm for universal republicanism, a league of powerful enemies was threatening to move down into America from the north and up from the south, proclaiming absolutism as the true principle of government, and in commercial affairs the principle of closed markets. Canning proposed to our ambassador at London, Richard Rush, that the United States and England jointly declare their fixed opposition to the conquest by Spain of the countries described by Monroe as "the independent governments south of the United States."

When this proposal reached the American Cabinet (October 9, 1823), it put the Secretary of State, Adams, in a quandary. He sympathized with Canning's main purpose, but his pride did not want America—as he expressed it—"to come in as a cock boat in the wake of the British man of war." Furthermore, Canning had suggested that both powers, as evidence of their good faith, announce to the world that they did not seek any new territory for themselves. Adams, a very bold man, who was at this time something of an



imperialist, did not wish his country to commit itself to any self-denying promises. Through the influence of Adams, Monroe decided to make a separate announcement of policy.

The Monroe Doctrine, as it has come to be called, is contained in his message to Congress of December 2, 1823. In brief, it announced (1) that the United States had no intention to meddle in European affairs unless its own interests were directly concerned; (2) that it had nothing to say with regard to colonies of European powers now at peace with their home countries; but that (3) "with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as a manifestation of an unfriendly disposition toward the United States."

The bold warning backed by the diplomacy of Canning closed a chapter in the relations of Europe and America. Spain abandoned the plan of reconquering her lost colonies. The following year Russia, by treaty with the United States (page 427), withdrew northward and what had threatened for a moment to be a worldwide entanglement vanished into air.

(4) Oregon and Alaska

A glance at the territorial map of this period (page 425) will show an area north of the 42d parallel and west of the Rocky Mountains which was a debatable country in 1823. Three powers claimed all or part of it. Russia had made vague assertions that her territories extended south until they met Spanish territory. The imperial decree of 1821 (page 421) had assumed actual control of the coast north of the 51st parallel and forbidden all but Russians to trade there.

Both England and the United States refused to admit that Russian territory extended so far south. But they could not as yet agree who was the rightful possessor of the rich lands between the 42d parallel and the Russian line—wherever that line might be. Both nations had permitted settlements by their people in the Columbia valley. An American settlement near the mouth of the river was Astoria,

founded by agents of John Jacob Astor, who was the chief promoter of the fur trade of the northwest (page 302). This post had been seized by the British during the war, but as the Treaty of Ghent required the restitution of all territory seized by either power during hostilities, Astoria was evacuated by the British.

In negotiating the treaty of 1818, neither power would agree to the other's proposals for dividing Oregon. They compromised on a curious temporary plan of "joint occupation." During ten years to come, while neither power should possess "the Oregon country," the citizens of each power should be free to settle and trade there under protection of their home government.

Then came the problems of 1821, the crisis of the Monroe Doctrine, and the general change in the colonial aspect of the New World. The impulsive Czar, Alexander I, if he had ever any real interest in his American dominions, was now more interested in other matters. Russia consented to withdraw farther to the north. In 1824, by similar treaties with England and with the United States, the Russian Empire fixed its southern boundary in America at 54° 40' north latitude. North of that lay Alaska, south of it Oregon.

(5) *The Pacific*

The great Pacific Fur Company, of which Astor was the head, was but one evidence that Pacific trade was a widening field of opportunity for the Americans. Oregon was looked upon as a precious possession partly because it was an opening to the Pacific. Already the Americans were feeling their way across the northwest seeking a trading route to the western sea. The general line of the Missouri and Columbia rivers was being used chiefly by fur-traders. Astor had developed the American Fur Company, trading from Saint Louis to the far northwest, before establishing his larger venture on the Pacific. Both by land and sea the Americans were turning their faces toward Asia.

The China trade was steadily increasing. There was also a great revival of the whale trade, which for a time had languished. It was carried on by adventurous New Englanders, but now their chief field was the Pacific. Ranging all over it, they became familiar figures at many Pacific islands. It was due first of all to these traders that

the Hawaiian or Sandwich Islands entered upon their close connection with the Americans. A fluctuating colony of American sailors became a conspicuous part of the life of Honolulu.

The sailors were followed by the missionaries. That religious expansion of America which had created the new missionary movement (page 406) developed side by side with the commercial expansion. Now and then ships brought home natives of the Pacific islands. A mission school, designed to care for such wanderers, was organized under the auspices of the American Board at Cornwall, Connecticut. In 1819 a party of twenty-one missionaries, three of whom were Hawaiians from Cornwall, set sail for the Sandwich Islands. With astonishing rapidity the Hawaiians were converted to Christianity.

American influence became paramount at Honolulu. To all intents Honolulu became a commercial and cultural outpost of the United States, the centre of American interests in the Pacific, a halfway house on the road to Asia.

(6) *Texas*

The passion of the Americans to expand and possess the earth did not confine itself to activities under their own flag. In fact they had always been rather careless whether the flag went before or came after them. "Peaceful penetration" of a desired country, about which so much has been talked of late years, was discovered by Americans as a device of expansion in the Florida episode. It was because Americans were pushing individually into Spanish territory that the Florida controversy became acute. The same method, though in a much slower way, was pursued in Hawaii. It was repeated, as time passed, in Oregon and California. The most conspicuous instance was the American penetration into northern Mexico.

Moses Austin, born in Connecticut, had settled in Missouri while it was still in the possession of Spain. A bold, restless man, a born adventurer, he later followed his impulses by obtaining from the royal authorities of New Spain—that is, Mexico—the right to establish on Mexican soil a colony of American settlers. His death threw the matter into the hands of his son, Stephen F. Austin, who in 1821 carried out his father's plans and established the colony of San Felipe de Austin. The revolution which made Mexico inde-

pendent did not interfere with his scheme. The Republic confirmed the grant made by the Spanish Crown.

San Felipe was the first of a number of "colonies" of Americans, formed by "empresarios" who received huge land grants from Mexico and parcelled out considerable portions free to settlers. While there was still a good deal of dissatisfaction with the land laws of the United States, any American could obtain, in one of the Mexican "colonies," either 177 acres of farm land, or some 4000 acres of grazing land, for nothing.

These colonies were all located in the Mexican state of Texas. Each colony was left practically to itself and allowed to manage its internal affairs as it pleased. Though certain forms of government were prescribed by Mexican law, the colonists adapted them to their own views with the result that each colony, for practical purposes, became a self-governing little democracy saturated with the spirit of the American frontier. Surrounded by a population having incompatible traditions, the Texas colonies became perhaps the most intensely American communities on the continent.

A dramatic event which raised the curtain on startling possibilities occurred in 1826. A certain Hayden Edwards, who had got into a dispute with the Mexican authorities over land titles, started a revolt of Americans, seized the town of Nacogdoches, proclaimed the "Republic of Freedonia," adopted a complete constitution, and appealed to the United States for aid. The aid was not given. Early in 1827 the revolt collapsed. Edwards, who had crossed the border into Louisiana seeking aid, disappears from history.

But he had made a great stir in the land. Many Americans were dissatisfied with the Treaty of 1819 which drew our southwest boundary at the Sabine River. They maintained that the boundary of old Louisiana was the Rio Grande. If that was so, all Texas should have been added to the United States in 1819. These people had demanded the "recovery" of Texas even before the Freedonian revolt. They now poured out their indignation in the American newspapers: the handful of Americans who had stood with Edwards were apostles of democracy fighting to "recover" a land that belonged of right to their own people.

The famous diplomat who had phrased the Monroe Doctrine had succeeded Monroe as President. In this part of his life he was an

expansionist. He had imperial dreams. He had refused to commit his country not to acquire any part of the Spanish colonies (page 426. He was as eager as any one to extend the American boundary from the Sabine to the Rio Grande, to extend the American flag over the American colonists in Texas. J. Q. Adams offered (1827) to buy Texas from Mexico for \$1,000,000. The offer was indignantly refused.

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THE PENETRATION OF TEXAS.—Barker, E. C., various essays in the *Quarterly* of the Texas State Historical Association; also his edition of *The Diplomatic Correspondence of the Republic of Texas*; Garrison, G. P., *Texas, a Contest in Civilizations*; Lowrie, S. H., *Culture Conflict in Texas, 1821-1835*; McMaster, J. B., *History*, V, ch. XL; V, ch. LX; Paxson, F. L., *American Frontier*, chs. XVI, XXXIV; Polk, J. K., *Diary* (abridged by Allan Nevins); Rives, G. L., *The United States and Mexico*, volume I; Smith, J. H., *The Annexation of Texas*; Stephenson, N. W., *Texas and the Mexican War*, chs. I-IV.

THE PANAMA CONGRESS.—A futile undertaking which occurred in this period was a forecast of the Pan-Americanism of later days. Delegates from the United States were authorized to attend a Congress at Panama which was brought about by the Republic of Colombia. Clay gave the scheme enthusiastic support. It is well summarized in Muzzey, T. S., *The United States of America*, I, 338-340. The most important statement of American policy in this connection is the *Special Message* which Adams sent to the Senate, December 26, 1825 (Richardson, J. D.,

Messages and Papers of the Presidents II, 318-320). See also, Robertson, W. S., *Rise of the Spanish-American Republics, as told in the Lives of their Liberators*, and *Hispanic-American Relations with the United States*; Schurz, C., *Henry Clay*, volume I, and *Clay's Works*. Appointment of delegates was strongly opposed in the Senate. They were finally sent but too late to take part in the Congress, from which nothing resulted.

CHAPTER XXIII

THE SECTIONALIZATION OF BUSINESS

(1) *Politics in an "Era of Good Feeling"*

THE twelve years between the close of the War of 1812 and the first lull in what was destined to be a long quarrel with Mexico over Texas cover the two administrations of Monroe and the one administration of John Quincy Adams. They form a period that was packed with important events. We have seen what far-reaching constitutional issues were formulated in this period and what momentous changes were effected in foreign relations. There were internal changes equally important. One of these and its relation to organized politics we are now to examine.

It will be easiest to do so by first taking a quick survey of "politics"—in the ordinary narrow sense—during the greater part of the twelve years.

The excitement over Missouri embraced the last gasp of the dying Federalist party. The real controversy of the moment was inside the triumphant Republican party. The chief reason for hushing it up and hurrying into some sort of compromise was the fear that the remnant of the Federalists were trying to make party capital out of it. It must not be forgotten that the most significant leaders on both sides of the debate were Republicans.

In this fact is one of the clews of the time. The Republican party had been created by a political generation that had almost passed away. The President was one of the youngest of the founders of the party and he, in 1820, was sixty-two. All the leading members of his cabinet were much younger. The Secretary of State, John Quincy Adams, in 1820, was fifty-three; the Secretary of the Treasury,

William Crawford, was forty-eight; the Secretary of War, Calhoun, was thirty-eight. The most powerful politician outside the Cabinet, Clay, was but forty-three.

The issues upon which the party was founded appeared to have been carried to success, and were not active in the minds of these younger men, or in the country generally. New issues were taking their place. But these new issues were not yet identified with parties. Hence the political confusion of the time. A Republican northerner and a Republican southerner could hold entirely different views about Missouri without contradicting any accepted principle in their party's platform. Of course, this state of things could not long continue. The same party could not be permanently a champion of State rights and a champion of national sovereignty. But when the panic of 1819 blew over, and the Missouri question was compromised, it seemed to the short-sighted politicians that the party once more was at unity with itself, that they need not trouble themselves about a restatement of their party principles. Any man who had called himself a Republican before 1819 might go on calling himself a Republican.

A general feeling that the sectional quarrel had been happily quieted was one reason why Americans told each other that political peace had possession of the land. Apparently there was but one real political party. So impotent were the Federalists that they made no presidential nomination in 1820. They never made another such nomination. They lingered a little longer as a local party in New England. And then they faded out, and their members either joined the Republicans or, for a time, gave up politics altogether.

The irresistible Republicans, in 1820, gave Monroe, at his second election, every electoral vote except one. That one was withheld from him merely to preserve to Washington the honor of being the only President unanimously elected. In the flush of their happiness the Republicans dubbed the time "the Era of Good Feeling."

In fact, the term did not apply. Party had given place to faction. Among the Republican leaders the bitterest intrigues were being carried on. The leaders were all mad after the presidency; all were wracking their brains to devise policies that would appear to be peculiar to themselves and that would captivate the voters.

Five men, three in the Cabinet and two outside, were all, during

Monroe's second administration, moving heaven and earth—to the extent of their ability—in the hope of stepping in his shoes. These were the three secretaries—Adams, Crawford, and Calhoun—the speaker, Clay, and that grim old Indian fighter who stood alone outside the party machine, General Jackson. This group of rivals formed a good illustration of the new political confusion. The views that they held in common were the old, inherited dead issues on which their party had been formed. Upon the live issues of the day—especially those economic issues that will be discussed in the second section of this chapter—they held widely different views. Unaware to themselves, they were getting ready to repeat the situation of 1820; very soon circumstances over which they had no control were to force them into controversies which they strove in vain to escape. But all this was not apparent to them until suddenly it became inescapable. They were trying to keep the condition of the country as much as possible out of their thoughts, and to centre their thoughts upon the one absorbing problem of how to beat their rivals in the race for the presidency.

Intrigue pure and simple became the order of the day. A new type of politician appeared—the crafty, calculating, adroit, wire-pulling type with which America has since become perfectly familiar. One of the most skillful of these great wire-pullers was the first who steps forth unequivocally into the bright light of history. William B. Lewis, a Tennessean, was a devoted friend of Jackson. He set out to make him President.

The first aim of Lewis was not peculiar to him. All the leaders except one, and all their followers, had a single aim in common. It was known, or at least generally believed, that Crawford had the support of the President and that, if a congressional caucus were held, Crawford would have the official nomination. Therefore all these other shrewd gamesters aimed to make use of the popular feeling that "King Caucus" was a survival of aristocracy and should be abolished (page 343). The caucus had been practically abolished in 1820. Though Monroe in 1816 was nominated by the usual congressional caucus, the Republicans were so strong in 1820 that they did not trouble themselves to make a formal nomination. It was taken for granted that Monroe should have a second term. The Federalists made no attempt at a caucus. But as every one faced

toward 1824, the question whether the caucus should be revived became of great strategic importance to the intriguers.

The shrewd Lewis struck a new note in political management by a bold appeal to the people of Tennessee (January, 1822) to endorse their "favorite son" as a candidate for the presidency. The response to this appeal showed that Jackson's state was enthusiastically behind him. Another innovation in political method quickly followed. The legislature of Tennessee formally nominated Jackson (July 20, 1822). This was the beginning of the end of King Caucus. The Kentucky legislature nominated Clay later in the same year. Adams was nominated by New England legislatures; Calhoun by the legislature of South Carolina. Though Crawford was nominated by Georgia, his partisans went through the form of holding a regular caucus—the last caucus—which pronounced him the official candidate.

In the presidential year, 1824, great economic problems that were becoming insistent, that were soon to force the politicians to take them in hand, were successfully evaded. There was a noted debate that year in Congress on the tariff which showed that this issue might easily become as dangerous to party unity as was the Missouri question four years before. It was got round by four of the five contestants—Adams, Clay, Crawford, Jackson—who reiterated the views of 1816 and declared themselves in favor of a tariff. By this time it was plain that Calhoun was the weakest candidate of the five. It was practically certain that one of the other four would win the prize. Therefore the tariff did not become a campaign issue. Local interests and personal attachment decided the contest.

The election was a surprise. No one secured a majority of the electoral college. For the second time a presidential election was thrown into the House (page 343). The most singular part of the surprise was the small vote given to the brilliant Clay, who had seemed to be the most imposing figure in the land. The old Indian fighter from the west was the leading favorite. The electoral vote stood: Jackson, 99, Adams 84, Crawford 41, Clay 37.

But Clay none the less was master of the situation. Only the first three candidates could be voted for, but the 37 votes of his followers, if added to those of either of the two leading candidates, would make him President. What could Clay do?

Clay hated Jackson and Jackson hated him. During Jackson's Florida campaign Clay had disapproved of his course. "A lot of d—d rascals," said Jackson, "with Clay at their head—and maybe with Adams in the rear-guard—are setting up a conspiracy against me." He never changed his views. The last thing Clay wanted was to see Jackson President. Furthermore, both in belief and interest Clay and Adams had much in common. Both were nationalists of the school of Marshall; both were believers in high tariff; both were imperialistic in temper. Clay threw his votes to Adams.

Adams was elected President in succession to Monroe. He made Clay Secretary of State. Jackson, an impetuous man with an unbridled temper, denounced the choice of Adams as a defeat of the will of the people. The leading candidate should be regarded as their choice and as such entitled to the presidency. The law of the land (page 266) did not matter. His partisans, led by Lewis, at once began preparing to get him the nomination in 1828. Presently they were accusing Clay and Adams of having made a "corrupt bargain," through which Adams bought the presidency by promising Clay the secretaryship. There was no foundation for the charge, but it had a wide popular effect.

A majority of the electors had given their second vote to Calhoun, who became Vice-President when Adams succeeded Monroe. Alone among the presidential candidates he had changed his ground with regard to tariff. And yet two-thirds of the electoral college voted for Calhoun, the anti-tariff man, as Vice-President while every member of the college voted for one or another of the tariff men as President.

What better evidence that the party was still evading the real questions of the hour, still attempting to hold together on issues that were gone by? How the real issues forced themselves upon the politicians we shall now see.

(2) *The Tariff in Politics*

We go back to 1816.

The tariff enacted that year was accepted without protest by all parts of the country. Soon, however, several accidental influences produced dissatisfaction—in some quarters because the tariff was regarded as too high, in others because it was regarded as too low.

At the same time, the farmers of the west and north lost their European market for grain. This was due partly to a series of good harvests in Europe, partly to the return into industry of large numbers of soldiers released from military service by the close of the Napoleonic wars. England, freed of her war burdens, poured her energies into manufacture. The American farmers and the manufacturers raised the same cry: the farmers wanted a vigorous manufacturing community that would consume their foodstuffs at home; the manufacturers wanted protection against European competition; both these economic groups saw their solution in an increase of tariff duties.

Their interests clashed with those of two other groups. The ship-owners of the northeast believed that they would lose their chances of recovering prosperity if the import trade with Europe were brought to a standstill. This would be done by a high tariff. Therefore all the shipping interests protested against any increase in duties. The cotton growers of the south took the same position. The revived energy of the English mills was creating a vast market for raw cotton. The American cotton growers were eager to take advantage of it. They had discovered the peculiar fitness of southeastern United States for the culture of an excellent variety of cotton. Since the invention of the cotton-gin (page 391) their production had increased amazingly: in 1790, only 4000 bales, of 500 pounds each; in 1800, 72,220 bales; in 1810, 177,824 bales; in 1820, 334,728 bales.

Despite this large output the cotton men, in the years immediately following the war, were alarmed. The price of cotton was falling. As two-thirds of the crop went abroad and was sold at English prices, the planter naturally wished to profit by the low cost of English goods when he converted his English payments into commodities. He wanted those commodities imported into America as cheaply as possible. High tariff, increasing their cost, was his enemy.

Very significant was the geographical location of these groups—the anti-tariff cotton men, all in the south; the anti-tariff shippers dividing New England with the pro-tariff manufacturers who were also strong in Pennsylvania; the pro-tariff farming interest, scattered through New York, New Jersey, Pennsylvania, Ohio, and Kentucky. Here were the elements of sectional division based on

purely economic interests that might prove as serious a menace to national unity as was the social-idealistic clash over Missouri.

During the four years between 1816 and 1820 these attitudes toward the tariff, though becoming more and more evident, did not break out into active political controversy. The miseries of the panic of 1819 led promptly to discussion of the tariff. So many people felt the pinch of want, there was such a scarcity of good money, that on every side went up a demand for some sort of an economic cure-all to be created by legislation. The loudest cry was raised by the classes in the north and west that favored protection.

A new chapter in the history of the tariff began in 1820. While Congress was struggling with the Missouri problem the Baldwin Tariff Bill was being shaped in the House committee on manufactures recently created for the express purpose of dealing with the tariff. The Baldwin Bill when submitted to Congress was strongly protectionist. It was also in some respects sectional. Hemp, for example, was grown in Kentucky and westerners wanted it protected; but hempen cordage was a necessity to the New England ship-owners and they wanted no duty that would raise its cost. The bill captured western support and offended the shipping interests by a duty on hemp. Western growers of corn could make money by converting it into whiskey; the favorite strong drink of the eastern sailors was rum made from imported molasses. The westerners wanted a high duty that would stop the importation of molasses. Such a duty was provided for in the bill. Practically all duties were raised, especially those on iron, wool, and cotton goods.

The underlying sectionalism in this proposed bill was instantly revealed by the distribution of the vote in the House. Every representative from the middle states and the northwest voted for it. The south, with the exception of Kentucky, was almost solid against it.¹

¹ "Every duty on imported commodities acts as a tax on the consumer. When these taxes are imposed only to supply the necessary wants of the government, they are cheerfully paid; when imposed to enrich individuals, we should surely consider well on what grounds the claims of such individuals are advanced, we should inquire carefully what reciprocal benefits the public will receive. . . . It is in the present instance to the extraordinary combination of interest and exertion among a class of citizens whose pursuits are very distinct and whose title or pretensions are widely different . . . this combined effort to force our government from its position that we view with apprehension and alarm . . . what administration would ever have the power or the resolution of withdrawing from them hereafter any privileges which may have once been improvidently granted."—Memorial to Congress from citizens of Charleston, S. C., *City Gazette*, September 16, 1820. Jervey, *Robert Y. Hayne*, 109-111.

New England was divided about evenly. Though passed by the House the Baldwin bill was killed in the Senate by one vote.

During the next four years, while the party leaders were engrossed in their intrigue over the presidency, and foreign affairs appeared to hold the place of first importance, prosperity slowly revived and there was a corresponding lull in the tariff controversy.

The subject was revived in 1824 when that tariff debate to which the presidential intriguers paid so little attention (page 435) took place in Congress. It will be remembered that Adams, Clay, Crawford, and Jackson had all declared for tariff, and that the issue played no part in the election of that year. Clay, a most astute politician, always very careful how he dealt with a real political issue, spoke in the House with unrestrained freedom. In highly effective oratory he argued for "the American System," by which he meant a self-sufficing economic-political league of all the independent states of the western hemisphere. High protection, excluding European competition from American markets, was incidental to "the American System."

Two brilliant men stepped into national prominence in their opposition to Clay and the new tariff bill which he championed. They were Daniel Webster, of Massachusetts, and Robert Y. Hayne, of South Carolina. Webster, in the House, spoke for the maritime interests. His speech was one of the ablest American defenses of the general theory of free trade. Hayne in the Senate took the same line so brilliantly that his speech sustains comparison with Webster's.

But Clay dominated the moment. The ease with which he maintained his ascendancy over Congress was one reason why he felt confident that he would be the next President. The voting for and against the Tariff Bill showed practically the same sectional alignment revealed four years before by the votes on the Baldwin Bill. But meanwhile the protectionists had gained more strength. In New England especially they had entered upon a duel with the maritime interests. The bill passed both houses.

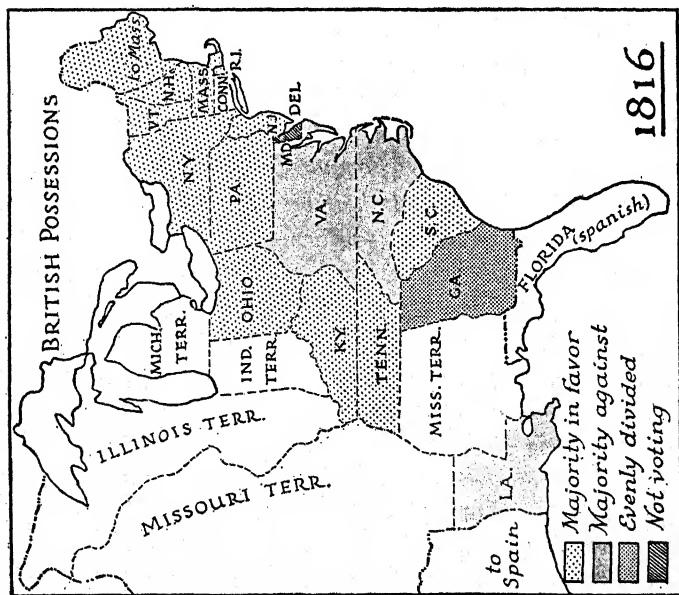
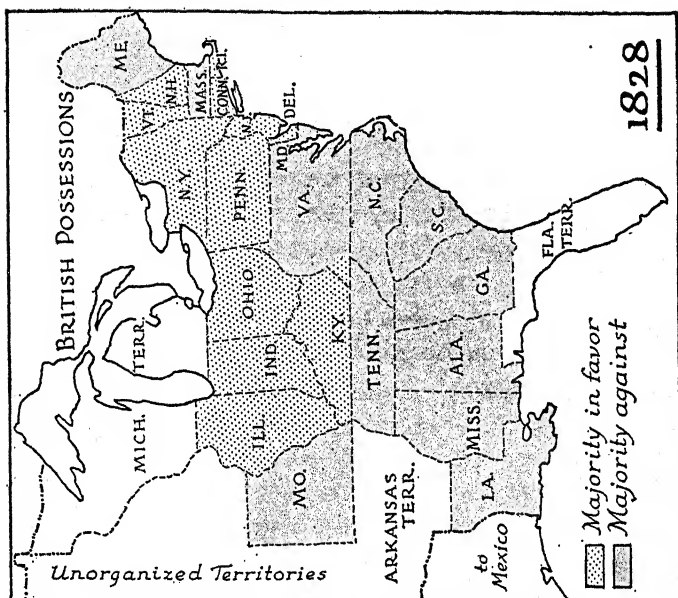
Though this bill had the support of the manufacturers of New England, it was devised chiefly in the interests of the middle states and the west. The articles which received the most effective protection were those in which these states were interested—iron, lead,

wool, hemp, cotton bagging. The duties on iron and hemp were direct blows at the ship-owners.

It was increasingly plain that this three-cornered economic-sectional duel could not much longer be kept from becoming a party question. At this juncture the powerful woollens interest, that was contesting with the maritime interest the control of New England's votes in Congress, felt the effect of new economic legislation in England. The English duties on raw wool had recently been reduced very near to nothing. In consequence the English manufacturers were enabled to export woollen goods at prices with which the Americans could not compete. The American woollen interest rallied the protectionist forces in a determined drive for sweeping raises in the tariff on manufactured wool.

Three years had passed since Webster had made his resolute opposition to the tariff of 1824. Since then New England had determined to accept the tariff and make the best of it. The maritime interests had concluded that they could weather the storm. They would capitalize the American talent for shipbuilding, and enter into rivalry with other nations for control of the carrying trade. It was one of the boldest games of chance that even the boldness of American merchants has conceived. They were confident that time would justify their audacity. The triumphs of Humphreys (page 334) and a long line of master shipbuilders were now to bear a new harvest of success. American ships were so skillfully modelled that few men were required to handle them. Despite the high wages of American sailors, the ship cost less to operate than did a European ship. Having lost their fear of the tariff, the maritime interests made their peace with the manufacturing interests. When the woollen manufacturers met at Boston and decided to petition Congress for an increase of duties, the legislature of Massachusetts passed resolutions to the same effect. The victory of protection in New England was dramatically exhibited when these resolutions were presented to the national House by none other than Daniel Webster.¹

¹ Abbot Lawrence, long afterward, said that the New Englanders had "honestly believed [the tariff] would greatly injure our navigation, and drive us from our accustomed employments into a business we did not understand"; but that they "soon learned that with the transfer of their capital to manufacturing on a large scale they acquired skill and knowledge in the use of it; that so far as our foreign commerce being diminished, it was increased, and that our domestic tonnage were very soon more than quadrupled."—H. A. Hill, *Memoir of Abbot Lawrence*, 150.



The Woollens Bill of 1827—known also as the Mallory Bill—which was passed by the House met all the demands of the protectionists. But the tariff battle had only begun. The Senate divided evenly, both the Massachusetts senators voting for the bill. In such a situation, the Vice-President, as chairman of the Senate, has a vote. Calhoun was Vice-President. The course which he took brought the tariff into confessed politics, fused it with deeper issues, and opened a new chapter in American internal affairs.

(3) The Tariff of Abominations

This great man had taken little part in political controversy during the eight years when he was a member of Monroe's Cabinet. Since he passed from the Cabinet to the vice-presidency, he had maintained comparative silence. The Calhoun whom the world knew was the Calhoun of a dozen years before, the man who was a chief among the War Hawks, who had shared in their after-war legislation, and was largely responsible for the tariff of 1816.

He has told us little of what had gone on in his mind since those audacious days when he and Clay swept triumphant over the opposition of a minority of the states and forced the country into war. His thoughts may be inferred from what he now did. He saw that the principle of irresponsible majority rule, set up in 1812, might lead to sectional tyranny. He saw that the growth of tariff legislation was an unanswerable argument against his own former position. He was before all else an ardent southerner. He felt to the full that charm which southern life cast upon many men then and afterward. He was a South Carolinian. He had inherited the loyalty to his state and the pride in his state which dated far back into colonial times. He was convinced that his friend Hayne, in opposing the tariff of 1824, had seen clearly and comprehensively the true course that South Carolina should adopt. The tariff was steadily being colored by the interests of the north and the east. The problem of cotton prices was ignored by the men who composed the majority in Congress. The planters were steadily losing wealth. The south was running into debt. And, as Hayne had said in 1824, "The whole of our calamities, Mr. President, may be summed up in a few words—debts and want of money. Now debts cannot be paid

without money, and as we have no mines and cannot manufacture silver and gold, I am at a loss to conceive how we are to obtain money or discharge our debts by cutting off foreign trade."

By 1827 this was practically the accepted view throughout the south, especially in the lower south. But how could foreign trade be saved if the majority in Congress wished to curtail or destroy it, and ordered it into channels which were unprofitable to the cotton growers? This question brought the economic issue of the tariff and the Constitutional issue of the powers of the federal government into close contact. Obviously, if the principles of Marshall were to prevail, there was no way to prevent a majority in Congress doing what it would about the tariff. Here was a significance in nationalism which far-sighted southerners had been quick to perceive. They waked to the fact that they were in pretty much the same situation in which the New Englanders were after war was declared in 1812. Just as the New Englanders tried to get out of their box by reviving the idea of the sovereignty of the states, so now the southerners invoked the same idea. Two brilliant books, both written by John Taylor, of Virginia, were *Construction Construed and Constitutions Vindicated* (1820) and *Tyranny Unmasked* (1822). Taylor attacked Marshall's decision in *McCullough vs. Maryland*, showed how one effect of Marshall's principles would be the impoverishment of the south through legislation by the west-north alliance in Congress; he drew up the first great indictment of protective tariff.

These two ideas—the idea that the tariff was impoverishing the south, and the idea that there was no way to save southern prosperity but by abandoning nationalism and reasserting the sovereignty of the states—had taken possession of Calhoun's mind. He had come to the conclusion that he must co-operate with Hayne in the public assertion of these ideas. An opportunity to do so was given by the tie vote in the Senate on the Woollens Bill. Calhoun used his casting vote and defeated the bill.¹

¹ "The wisest men of the country have divided in opinion how far Congress has the power, and admitting they possess it, how far, on principle, encouragement may be given, to domestic manufactures as connected with the great consideration of the defense and independence of the country. But whatever may be the diversity of opinion among the wise and patriotic, as to the discreet exercise of this great power of changing the capital and industry of the country, there cannot among

When Congress met in December, 1827, it was at once apparent that the tariff was "in politics" and that no politician could any longer treat it as outside his official horizon. It was also plain that the south was now the sole important factor in the opposition to tariff. A desperate remnant of the maritime party of Massachusetts, merchants who were not ready to make peace with the manufacturers, sent a memorial to Congress. But they did not entrust it to the new senator, Webster—who now made his entry into the upper house—nor to his colleague, Nathaniel Silsbie, but to the southerner Hayne.

Four years before the political managers felt that they could let the tariff alone. Now the Jackson men in particular were keen to use the tariff in the approaching presidential election. But they must be very careful how they did so. Jackson's support was so distributed that one could hardly say whether northern—that is, tariff—votes, or southern—that is, anti-tariff—votes were the more essential to his success. The Jackson men had a majority in the House. They laid their heads together trying to devise some way by which their candidate could ride two horses, bring out his full strength in each section without offending his friends in the other.

There followed one of the most intricate pieces of political manœuvring which our history contains. The Jackson managers had reasoned about as follows: it is as good as certain that Adams will be Jackson's only real opponent; he is strongly and frankly a tariff man; he is sure to carry New England; very good, let New England go; we will pose as friends of the middle states and the west; we will draw up a bill highly favorable to those regions and injurious to New England; though it will be a protective measure, the New England tariff men will join with the anti-tariff southerners and between them they will kill the bill; but this will not trouble us; we

such be any doubt that the power itself is highly dangerous, and may be perverted to purposes most unjust and oppressive. Through such an exercise of it one section of the country may really be made tributary to another, and by this partial action, artful and corrupt politicians may use nearly half of the wealth of the country to buy up partisans in order to acquire or retain power. . . . In the meantime the south has commenced with remonstrance against this unjust and oppressive attempt to sacrifice their interests; and I do hope they will not be provoked to step beyond strict constitutional remedies. I have given a fuller view on this point, as I am of the impression that from it great events will spring. It must lead to defeat or oppression or resistance, or the correction of what perhaps is a great defect in our system: that the separate geographical interests are not sufficiently guarded."—Calhoun to James Edward Calhoun, August 26, 1827.

shall have shown our friendship for the middle states and the west and the General's popularity won't be hurt there; at the same time there will be no new tariff and the southerners will be pretty sure to prefer the General to Mr. Adams.

They worked out this crafty scheme almost to success. What is known as "the tariff of abominations" was full of extremely high rates of duty so arranged as to be offensive to New England. But the clever politicians overreached themselves. Clay, the keenest politician of them all, saw what was likely to happen. "The Jackson men," he wrote, "are playing a game of brag on the subject of the tariff. They do not really desire the success of their own measure; and it may happen in the sequel that what is desired by neither party may command the votes of both." At the last moment a considerable minority of New Englanders could not bring themselves to oppose the bill. They added their votes to those of the middle and western states that were nearly unanimous in the bill's support, and it passed the House. It slipped through the Senate by a very narrow majority, all but four of the southern senators voting against it, and was signed by Adams.

(4) The Election of 1828

Webster, in defending his vote for "the tariff of abominations," said that besides the economic issue there were "other paramount considerations." He meant that the Adams men were afraid to reject the bill for strictly political considerations. Jackson was strong enough as it was in the middle and western states. If the New Englanders had killed the Tariff Bill he would have been irresistible. As it turned out he was irresistible anyhow. But neither his friends nor his enemies, when the campaign began, appreciated how strong he was with the mass of the voters.

We may think of this important election as having been conducted in two distinctly different ways. The familiar leaders—Adams, Calhoun, Clay, Webster—discussed the great issues of the day in the language of statecraft. Politicians of the new sort, Lewis and others, played the game in the terms of personal abuse. Furthermore, keeping their ears close to the ground, they discovered new thoughts which the masses were thinking, which the statesmen at Washington overlooked, and of these they made skillful use.

The issues that were recognized by the first group of leaders were the familiar ones—tariff and nationalism. Adams had given his enemies ample opportunity to attack him on both counts. Bold, dogmatic, crusty, he refused to leave any one in doubt where he stood. His first annual message had advocated a thoroughgoing nationalistic policy. He never swerved from that position. The government should take care of the people, and for that purpose should have every power needed. It should build roads and canals, create a national university, and promote scientific research. To his enemies, this meant that he wanted to centralize the government; make the states mere provinces; put absolute power in the hands of



ELECTION MAP OF 1828

the majority at Washington. His uncompromising support of the principle of protective tariff called forth the same denunciation as well as bitter charges of sheer sectionalism.

The other sort of politician made use of such unworthy devices as the "corrupt bargain" cry. The positive denial by Clay did not prevent it from taking hold of the popular mind. Still more effective was the charge that Adams was an aristocrat. The charge was true—despite his Jeffersonian affiliations—but the inferences drawn from it were false. An inventory of White House furnishings showed that a billiard table had been purchased for \$61 and a set of chessmen for \$23. These items served to convince thousands of

ignorant voters that the President was luxuriously self-indulgent, squandering the public money in questionable pleasures.

Back of this absurd misrepresentation lay the great discovery which the men with their ears to the ground had made. Tariff was not the only issue that got into politics slowly. Others still more formidable had not yet arrived. But one, at least, was just about to arrive. This was the relation of labor and capital. All over the country workingmen were discontented with their mode of life and were talking fiercely among themselves against the rich. Great numbers of people of small means who had suffered from the hard times that began in 1819 were also embittered against the capitalists who controlled the country's supply of money, who made it hard for the poor people to obtain loans. To both these discontented classes Jackson was presented by his managers as the true son of the people, the big-hearted plain man who was the friend of the poor, who, by some means or other, would bring in a new era if elected President.

The vote which gave him the prize was made up of three elements whose motives were anything but uniform. He carried every southern and western state. But he would not have been elected if he had not carried in addition New York and Pennsylvania. Those states could have given the election to Adams. The three prime factors in his support were: (1) the southerners, anti-tariff men and anti-nationalists, but men who felt that Jackson, being himself a southerner, was a safer choice, for them, than his New England rival; (2) the middle-state and western protectionists, who were mainly nationalists but who had economic interests different from those of New England. These people were assured that the general was a nationalist at heart—as he proved to be—and therefore the nationalism of Adams did not appeal to them; (3) the masses of the discontented, scattered all over the north and west, who had little concern for the orthodox issues on which the campaign was supposed to be fought, but whose imaginations had been kindled by the hope that one of their own sort was to enter the White House.

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New Patterns of Life

1829-1850

BASIS OF CHAPTERS XXIV-XXIX

It is generally recognized that the election of Jackson forms a dividing line separating an age which, for all its revolutionary tendencies, was still very largely aristocratic, from the age in which democracy triumphed. Some able historians have called the twenty years following Jackson's advent, "The Rise of the Common Man." His election was characterized by the great importance of the western vote and by the appearance of a Labor party among the factions that supported him. The attempts of labor to win shorter hours of work and better pay were conspicuous throughout the period. They were parts of a general movement for the increase of freedom among the masses, for the complete abolition of property qualifications of the suffrage, for freedom of labor to organize and to strike, for free education.

In this long-continued agitation, women assumed an important part. A strike conducted by mill girls came early in the period and was soon followed by the organization of the Factory Girls' Association. The reforming activities of women found a further outlet in new educational ventures, in a great outburst of antagonism to slavery, and in a temporary enthusiasm for socialism which characterized the thirties.

The movement against slavery produced the Abolitionists, whose advent may be traced to the issue of *The Liberator*, by W. L. Garrison in 1831, followed by the establishment of the American Anti-Slavery Society. The Liberty party devoted to abolition appeared in the election of 1840. Meanwhile several eminent slaveholders propounded a new theory to the effect that slavery was the best foundation for a republican state.

These social issues were sometimes in, sometimes out of, a very complicated political tangle. The old Republican party broke into factions, some of which eventually merged with what was left of the old Federalist party. Sectional issues and class issues merged in "The Great Debate" which developed into a controversy upon the nature of the Union, whether a confederacy of sovereign states or a centralized republic. While one wing of the old Republicans, led by Clay and Webster, were drawing off from Jackson and favoring the moneyed classes, there was a fierce factional fight within the remainder led by Jackson and Calhoun. The latter was forced into isolation and there resulted a three-cornered political situation.

A revival of the tariff controversy caused virtual secession in South Carolina where was enacted the Ordinance of Nullification forbidding the levying of the tariff within her borders. A clash of arms was prevented by the Nullification Compromise and the lowering of the tariff along with a pronouncement of Federal right to levy a tariff.

Webster and Clay, though they had supported the compromise, broke with

Jackson on financial issues and in 1834 the Whig party came into existence. The Jackson men retaliated by forming the Democratic party.

In the midst of these political battles, there were far-reaching changes in business. Steam railways in America date from 1831—two years before Nullification. There was a rage of speculation partly in railways, partly in western land. Trade with Asia played a great part both in American commerce and in the American imagination. Ship designing was pursued with extraordinary skill. In 1836 an attempt was made to open trade with Japan. Though internal affairs delayed further action the treaty of Wanghia with China, six years later, established an American commercial policy in the Orient.

In the year of the unsuccessful attempt to open Japan Van Buren was elected, and in the next year "the panic of 1837" brought the country to the verge of bankruptcy. A coalition of Whigs and conservative Democrats carried the election of 1840 but soon fell apart, and accomplished little except in foreign affairs. The Chinese treaty and the Webster-Ashburton treaty were followed by an agreement with the Republic of Texas that brought it into the Union as a state.

President Polk, elected in 1844, obtained Oregon by treaty with England; fought the Mexican War; and completed the Pacific front of the republic by annexing California. What was to be done with these great acquisitions of territory became the question of the hour. It was complicated by the discovery of gold in California. A temporary settlement dividing the Union into confessed sections was the Compromise of 1850.

From this intricate tangle of political, commercial, and social interests new intellectual influences emerged. Not only in the way of educational radicalism but also in pure literature there were reactions to the ferment of the times. On the one hand a revival of interest in the past was illustrated by such writers as Longfellow, Prescott, and Sparks; on the other hand, Whitier and the reformers had little thought for anything but present ills. George Bancroft began his *History of the United States* which was a prose epic of American achievement. Quietly the great figure of Emerson stepped into his high position.

Chronology:

- 1829. The great debate.
Strike of the mill girls of Dover, N. H.
- 1830. Break of Jackson and Calhoun.
Mexico forbids American immigration into Texas.
Joseph Smith discovers the Book of Mormon.
- 1831. Garrison issues *The Liberator*.
Slave insurrection led by Nat Turner.
First steam locomotive in United States.
Calhoun's "Address to the People of South Carolina."
- 1832. Case of Worcester *vs.* Georgia.
Tariff controversy resumed.
Jackson vetoes bill to recharter Bank of the United States.
Jackson re-elected.

- A labor party appears in politics.
1833. Nullification Compromise.
United States deposits removed from the bank.
American Anti-Slavery Society.
Longfellow appears with *Outre Mer*.
1834. McCormick reaper patented.
Free education in Pennsylvania.
Bancroft begins *History of the United States*.
Enemies of Jackson adopt the party name Whig.
1836. Futile attempt to open trade with Japan.
Solution of long-standing claims against France.
Whitman's Medical mission in Oregon.
Texan War of Independence.
Oberlin College becomes anti-slavery centre.
Factory Girls' Association conducts strike at Lowell, Mass.
Van Buren elected by the Democratic party.
Specie circular.
1837. Independence of Texas recognized.
Massachusetts creates a State Board of Education.
Michigan reorganizes education on the Prussian plan.
Lovejoy, Abolitionist, killed by a mob.
Emerson's address on "The American Scholar."
New school of historians awakes interest in the past.
Appearance of Hawthorne and Whittier.
Nativism, and opposition to Roman Catholics.
Panic of 1837.
1838. Ten hours made legal day for Federal workers.
1839. Mormons at Nauvoo.
1840. Women in American delegation, World's Anti-slavery Convention.
Liberty party appears in politics.
Disappearance of property qualifications for suffrage.
Sub-treasury established.
Tyler elected by coalition of Whigs and Conservative Democrats.
1841. Brook Farm.
New land laws permit pre-emption of public land.
1842. Dorr's Rebellion.
Webster-Ashburton Treaty.
Hawaii declared to be within American sphere of influence.
1843. Mission of Cushing to China.
1844. Treaty of Wanghia.
Methodist Church splits on slavery.
Polk elected President.
Telegraph in operation.
Goodyear devises vulcanized rubber.
1845. Sewing machine invented.
Texas annexed.
1846. Oregon acquired.
Biglow Papers appear.
- 1846-1849. Mexican War.
1848. Treaty of Guadalupe-Hidalgo.
American Association for Advancement of Science.
Whigs elect Harrison president.
1849. Gold rush to California.
1850. Compromise.

CHAPTER XXIV

CHANGING IDEAS

(1) From the Old to the New

HISTORY is always a complicated interplay between two groups of forces—between the obvious ones that lie behind the partisans in the confessed controversies of a time, and the obscure ones that are at work in the background, that are stealthily fermenting in the recesses of the social structure, and preparing it for change. This double fact is strikingly illustrated by what followed the election of 1828. The advent of Jackson is justly regarded as a turning-point in our development. But the confessed controversies of the years between 1816 and 1828—important as they were—do not account for more than a portion of the changes which we date from Jackson's inauguration. The less obvious forces of the background had gradually prepared the nation for an upheaval that was to be not merely political and economic but also social and intellectual.

The intellectual revolution—for such we may call it—doubtless seemed to the “practical” politicians a thing that did not concern them. It was not complete in 1828. But it was well under way and it was contributing to the formation of a new temper throughout the land. It may be summed up as a general weakening of the strength of tradition, a general inclination to take up new views and to experiment with them. The full effect of this changing temper will be set forth in the chapter on “The Ferment of the Thirties.”

The new temper revealed itself in many ways, particularly in education. The fermenting religious thought which, as we have seen, was so potent throughout the first quarter of the century led to the appearance of numbers of academies and small denominational colleges. Most of them have since disappeared. Much more significant was the demand to divorce education from religious influences. This was part of the free thinking of the Republican movement. The earliest state universities were in states that either were, or soon be-

came, strongholds of Republicanism. When the War Hawks took up the peace problems of 1816 universities had been created by the states of North and South Carolina, Tennessee, and Georgia, while the University of Pennsylvania had become a state institution.

The most prominent leader in a movement for more extensive as well as freer education was Jefferson. It was the chief concern of the remaining years of his life. At this time momentous changes were taking place in the educational systems of Europe. Jefferson watched from afar the reorganization and modernization of education in his beloved France. A parallel movement in Germany produced the University of Berlin. In 1818 Jefferson prevailed upon the legislature to establish the University of Virginia, which was opened to students in 1825.

Jefferson had been mainly instrumental in planning the university; he was head of the first board of visitors, and to all intents the university's president. The scheme on which it was based was an innovation. It included an elective system and excluded entrance examination. Any male student might come in, and if he demonstrated his fitness to carry on the work assigned him was permitted to remain. The beautiful buildings in which the university was housed, at Charlottesville, were designed by Jefferson and were his last word as an architect (page 327).

(2) Literature

Thought and literature are so closely interwoven that a marked change in intellectual attitude is generally reflected in literature. One must be careful not to generalize too confidently upon this intricate subject. Only a rash student will lay down the law as to just how these two great activities of the mind were interrelated in America during the first quarter of the nineteenth century. It will be safe, however, to point out two suggestive facts. Two great writers made their appearance and grew to full stature during that period.

Washington Irving (1783-1859) struck two notes that may appear to be different but which at bottom find their unity in the temper of the author. He made his hit with the *History of New York* by *Diedrich Knickerbocker* (1809), which was a deliciously funny satire on the traditions of the old Dutch aristocracy. The book was boisterous and merciless, but in a wholly different vein from the

stilted and bombastic satire, the ill-mannered invective, of the generation that was passing. It bit with a smile.

Irving went to England on business shortly after the War of 1812 and remained abroad seventeen years. Before his return he published his masterpiece, *The Sketch Book* (1820). It quickly captivated both countries. Not long before, Sidney Smith had sneered, "Who reads an American book?" In the interval between Franklin and Irving, the sneer could hardly be answered. With the appearance of Irving it ceased to apply.

The revolutionary element in Irving consisted of his contempt for the pose, the affectation, the unbridled egoism, of the sort of writing that had deluged the country in his youth. It might do to say that in literature his work forms a counter revolution. By means of Knickerbocker he made a joke of the self-laudation to which his countrymen at the moment were far too prone. In his later work he contradicted by example a current style that originated in the street and was perilously close to the vulgar. He restored to American writing the standards of the gentleman, setting before the country a beautiful display of the nature of polite letters—the delicate feeling, the fine distinctions, the restraint, the nobility.

A great genius that has had general recognition throughout the world was James Fenimore Cooper (1789–1851). He was not precocious. He was thirty-three when he stepped suddenly into fame with a remarkable novel, *The Spy* (1821), a tale of the Revolutionary War. Living at Cooperstown, in western New York, he was practically a frontiersman. His truest vein was struck in his next book, appropriately called *The Pioneer* (1823), which was the first of the famous "Leatherstocking Tales"—a series that was not entirely completed until eighteen years later. Two other very noted works of his appeared in this period of changing ideas—*The Last of the Mohicans* (1826) and *The Prairie*.

The revolutionary element in Cooper is more easily discerned than in Irving. In his most famous books he boldly threw traditional subjects to the winds, and put his best strength upon two, both of which were close to the heart of the westward-moving American mass. These were the Indian and the pioneer. His essential westernism made him also a Republican. In the intervals of more distinguished work he wrote a group of novels now forgotten, designed,

as Lowell put it rather spitefully, "to prove he's as good as a Lord." He wrote furiously and not always in good taste as a Jacksonian pamphleteer. During a long visit to Europe, where some of his best work was done, he wrote freely and abundantly in condemnation of what he regarded as antiquated institutions.

There is a dramatic fitness in the theme of the novel which was published by this great but stormy genius just previous to the election of Jackson. *The Prairie* is a tragedy of changing conditions, but also an epic of the unconquerable soul. The hero is an old trapper of eighty-seven. His homeland—Cooper's own country, western New York—is no longer in tune with him. He sets his face toward the west, hoping to find happiness once more in the untamed open country of the sunset.

A revolutionary period is not all revolution. Before the great turning-point of 1828 had gone by, literary events had taken place which remind one of the pools in Wordsworth's poem,

"that lie,
As quietly as strips of sky,
Among the evening clouds."

A precocious youth published a little volume of *Poems* (1821) which contained the ambitious "*Thanatopsis*" and the exquisite lines "*To a Waterfowl*." He was William Cullen Bryant, who became editor of *The New York Evening Post* the year of Jackson's election. The same year scholarship and patriotism were blended by Noah Webster in the title of a work upon which he had labored during twelve years, his *American Dictionary of the English Language*. The year previous an entirely unknown young man of eighteen had published a little volume, *Tamerlane and Other Poems*, which failed to make an impression. Today it is eagerly sought by collectors as the first book of Edgar Allan Poe.

(3) *Changes in Political Geography*

It is no mere accident that the most distinctive mind of his time was engrossed in the frontier and a partisan of Jackson. In Cooper that close association with the wilderness (page 148), which for good and ill has counted for so much in our story, found a powerful literary form. But Cooper personally had no desire to go west. The lure of

the west had a different effect on thousands of his countrymen who had no artistic mode of expression. In them it was translated into action. The movement of population westward in the years between the War of 1812 and the advent of Jackson is one of the cardinal features of the time.

It was inspired by various motives—not only by the lure of the wilderness, not only by the spirit of adventure, but also by motives that were political or social or economic. These latter would be well illustrated by tracing the history of any one of a hundred little towns in the interior of New England. In 1800 such a town would have still been under the domination of its local aristocracy, and its vote would probably have been Federalist. But a considerable part of its population would have been discontented and ready to rebel against the local magnates. In the course of the next few years these discontented people, in many instances, got control of the town and its vote became Republican. Then came hard times—both during the war and after, especially in the panic of 1819—and these less fortunate people turned their faces westward, seeking prosperity on new land beyond the mountains. In some cases practically the whole population of a town moved out together into the west. As a result any number of eastern towns fell back again under the control of the local upper class, the people who had formed the old Federalist party. An exodus of the discontented elements explains in no small part why New England was so solidly for Adams in 1828.

This shifting of population, taken in connection with the economic problems that had developed since the war, was the precursor of a change in political affiliation that was far reaching. Now that the issues of 1800 had passed away, Adams, the innate aristocrat, made a great appeal—in spite of the fact that he called himself a Republican—to these upper-class New Englanders who were recovering control of their localities. In contrast with Jackson, the rough westerner, the darling of the very men who had deserted their eastern birthright and gone west, Adams seemed to the conservatives of the east their hope and their salvation.

For the opposite reason the westerners believed in Jackson. They were concerned with three major problems—ease in acquiring land, ease in borrowing money, and the creation of a market for agricultural produce. We have seen how ruthless the westerners were in

destroying a sectional interest, such as the molasses trade of New England (page 438), when it clashed with an interest of their own. The chief managers for Jackson, Lewis, et cetera, were western men, and understood the west. They had succeeded in creating the impression that their candidate was the enemy of the protected importers, but the firm friend of protection for the farmer. All the west believed—and rightly—that he was an enemy of the “money power,” specifically of the hated bank that made it hard for them to borrow. And of course he was in favor of making it easy for them to acquire land.

(4) New Land Laws

The Harrison Act (page 397) remained in force until the troubles of 1819 produced a general complaint throughout the west. Under it the General Land Office had been established at Washington with branches in the new states. Many of the purchases under the Harrison Act were speculative. Many were made on credit. The fluctuations in the value of money, and the caution of money-lenders, caused frequent failures in attempting to complete payments on land, and the result was more discontent in the west.

Partly because so many western farmers were unable to pay off their obligations to the Land Office, partly because so many distressed easterners were moving west, a totally new idea became current. The question was raised, Why should the government make a profit out of the public land? The new idea was that the only value the land had was created by the settler, and that therefore he alone was entitled to possess it. The idea swept through the west. It became the favorite article in the political creed of a new man from the west, Thomas Hart Benton, destined to a long career in the Senate. Free land was Benton's watchword.

He did not live to see his creed accepted. It was steadily contradicted by the easterners. They wanted the public land to continue to be a source of revenue. They had no desire to see their working classes drawn off into the west with the consequent result that wages for the remainder left in the east would go up. But some compromise with the western demands was inescapable. The year before Benton entered the Senate, Congress passed a new Land Act (April 24, 1820). Like the tariff of 1820 this law was under discussion while

the Missouri controversy was in full blast and John Taylor was furiously denouncing *McCullough vs. Maryland*. It was part of the general effort of Congress to pacify the country, undo the effects of the panic of 1819, and head off sectional and class discontent.

The Land Act of 1820 provided for the sale of land in small farms of 80 acres each, required payment in cash, but fixed the price at \$1.25 the acre. Those farmers who were unable to complete payments on land bought on credit were permitted to surrender what they could not pay for and were secured in possession of the remainder.

(5) *Social Colonization*

The passion for land was as active in the southwest as in the northwest. The frontier was not merely a land of escape (page 315). While it offered a new start to unfortunate people who were thinking only of economic recovery, it also afforded a new field for what we may call social colonization. In the south the ruling class had a fixed conception of what society should be like. The plantation system was based on the large holding, it demanded numerous slaves, and produced a life of leisure, the old country life of the eighteenth century translated into modern terms. This was the form of life that all the planters and all aspiring southerners not yet in the ruling class desired to maintain. The determination to preserve this form of society which had led the southerners into the Missouri controversy (page 410) led them also to seek its extension into the new lands of the southwest. The Mississippi Territory, formed after Georgia and the federal government had reached an agreement as to land (page 350), was soon replaced by the two states of Mississippi (1817) and Alabama (1820).

(6) *Slavery and Economics*

The occupation of these new regions by settlers who were devoted to the plantation system enlarged still more the southwestern market for slaves (page 410). We have seen that slavery had been commercialized years before in the stimulation of slave importation (page 409) previous to the legal closing of the foreign trade. The new market for slaves in the southwest, together with the rapid spread throughout the lower south of cotton culture, created the

domestic slave trade which was destined, through commercializing the institution, to fulfill all the gloomy prophecies of Alston and Barnwell. This new commercial interest in slavery checked—though it did not immediately stop—the old antislavery movement for which the south had once been conspicuous.

At the same time that slavery was becoming profitable in the south it was ceasing to be profitable in the north. There, no new economic interest checked the old idealism of the Revolutionary period. On the contrary, the economic changes hastened the course of emancipation. The new industries that were springing up demanded a more intelligent type of labor than slavery produced. The commercial interests of the north were quite willing to see slavery abolished. Many motives had combined to produce that general disbelief in slavery as the basis of society which was in the minds of so many northerners when the controversy in Missouri became a national issue. It was significant that a New Yorker, Talmadge, precipitated the contest. He took his seat in the House the same year in which New York passed its final abolition law (page 413).

(7) The Appearance of the Labor Question

The ardent, if unhappy, westerners were not the only devoted partisans of Jackson, the man of the people, who hated aristocrats. Again, there is the distinction between the physical and the social frontier (page 317). The social frontier was a stronghold of Jacksonism.

The spread of the industrial revolution which brought with it the factory system had produced the first of American "mill towns." Francis C. Lowell, who was the first to set up a power loom in America (1814), gave his name to a town built expressly for the use of manufactures. Lowell, Massachusetts, dates from 1826.

The new modes of labor broke up altogether the independence of the workman, subjected him to fixed hours, and demanded of him what his employer—not he—regarded as a satisfactory day's work. In the old household system of labor (page 389), when each good workman had his own little establishment in his own house, he decided for himself what days he would work, what not, how long he would work each day, and what his output should be. Laborer though he was, he led a free life and adjusted it to his individual desires

with no master but his own conception of economic necessity. Under the new system he was but one unit in the huge organization of a factory. He worked as a rule twelve hours—sometimes more—each day, six days out of each week. He had no holidays. Small wonder that, comparing his present state with his former state, he thought of himself as enslaved and downtrodden.

Wages were so low in the decade of the twenties that the mother and children in a family often had to work in the mill along with the father. Half the operators in the eastern cotton mills were women.

The discontent among work people led them to turn to trade unions for their defense. Such organizations had appeared shortly after the Revolution. The first American trade union was formed by the shoemakers of Philadelphia (Federal Society of Journeymen).

The early trade unions were fitful organizations that had little purpose except to conduct strikes. Between strikes they were likely to be dormant. The purpose of their strikes was generally to raise wages or to shut out the competition of low-grade labor. The first attempt to get a ten-hour day was in 1791, and was unsuccessful.

In the world of labor, as in so many other portions of American society, there was excited commotion about the year 1820. The hard times dating from the panic year affected all phases of industry. While the politicians were scheming how to make Jackson President, an ally that they did not at first appreciate was getting ready to come to their aid. The working men of Philadelphia and New York were asking themselves why should not they, no less than the merchants, and the financiers, and the farmers, take their grievances into politics. In the spring of 1828, just as the presidential campaign was beginning in earnest, the Mechanics Union of Trade Associations at Philadelphia proposed to the trades unions that were its members the nomination of candidates in local elections "to represent the interest of the working classes." The unions endorsed the proposal. Their creed was the same that was expressed shortly afterward by the first labor newspaper of America (*Mechanics Free Press*): "We are fast approaching those extremes of wealth and extravagance on the one hand and ignorance, poverty, and wretchedness on the other, which will eventually terminate in those unnatural and oppressive distinctions which exist in the corrupt governments of the old world."

A Workingmen's party was one of the minor complications of the election of 1828. It did not extend beyond Philadelphia and was destined to be short-lived. Though the Workingmen's party was not officially part of the Jackson forces, he had the support of the bulk of its members. There seems no doubt that he had similar support the country over. Without that support he could not have carried New York and Pennsylvania, and without these states he could not have obtained the presidency.

(8) Reform of the Suffrage

Working men could not have counted for what they did in the silent revolution of the twenties if there had not recently been a sweeping extension of the suffrage. The frontier—both geographical and social—had long insisted on the sacred right of each individual to have all the privileges in legislation that any other individual had. New Hampshire, years before, had led the way (1792) in a movement for manhood suffrage for all whites. The new states of the west had followed suit. The eastern states, alarmed by the competition of the west, attempted to hold their wage workers by conceding them the vote. The proportion of people qualified to vote for President increased rapidly between the election of Jefferson and the election of Jackson. In 1828 practically the whole country had either established manhood suffrage or required so little property as a condition of voting that the requirement had slight significance. It is fair to say that in the election of Jackson the whole nation, for the first time, took part in the choice of a President.

This result had not been brought about without bitter opposition. A determined fight against popular suffrage was made in New York. Martin Van Buren led the popular party which secured the vote for all white men who paid taxes, no matter how small, or who were serving in the militia (1821). Van Buren soon afterward joined the Jackson party and in 1828 helped mightily to marshal behind Jackson the men for whom he had gained the suffrage in New York.

In Massachusetts the opposition to extending suffrage was led by Daniel Webster and approved by old John Adams. The reform movement in Virginia forced into one camp Madison, Monroe, and Marshall, all of whom opposed it. By this time Madison and Monroe

were old-fashioned thinkers who were afraid to follow the new tendencies of the time. Their opposition had no political significance. The case was different with Webster and Mashall. They stood for a new conservatism that bravely disbelieved in the control of politics by the masses. They were resolute opponents of Jackson in 1828. Around such men a new political party—the Whigs—was soon to form.

(9) *A Master of Capital*

Obviously the country was developing social differences with dangerous rapidity. The new commercial aristocracy which was the creature of the policies of Hamilton, which had absorbed part at least of the old colonial aristocracy, now had a character and a life of its own. It formed a powerful and brilliant upper class that was located almost altogether on the Atlantic seaboard. As yet it was not definitely sectional. Its desperate efforts to avoid becoming sectional will form a striking portion of later history, when the Whig party will become the exponent of its views.

A fanciful writer might say that the Bank of the United States was the nervous system financially of the wealthy classes in the twenties. One of the ablest presidents of the bank was Langdon Cheeves of South Carolina, who directed its fortunes in the early part of the decade. He is witness to the fact that while many southern aristocrats were drifting into an anti-northern attitude along with the southern masses, southern money was reluctant to take that course. All this is to be remembered when we come to the formation of the Whig party, in the middle of the next decade (page 521).

No figure of the time will serve better as a symbol of the commercial aristocracy at its best than the man who was president of the bank when Jackson was elected. Nicholas Biddle came of an old Quaker family of Philadelphia. He inherited considerable but not great wealth. It was characteristic of the man of his class, and of his time, that he took the keenest delight in travel, in authorship, and in society, without becoming either a smatterer or a prig. His travels while still a young man took him as far as Greece, in whose struggle for independence he later felt a romantic interest. His friend Monroe, when ambassador to England, made him secretary of legation and loved to tell in after days of a visit to Cambridge,

where young Biddle held his own in a group of tried scholars discussing the differences between ancient and modern Greek.

Biddle returned to America and appeared to lose himself in social enjoyment and in the pursuit of letters. He became a chief supporter of a literary magazine *The Port Folio*. The War of 1812 drew him into public life through the urgency of his old friend Monroe, now Secretary of War, who believed that Biddle had great financial ability. He did yeoman work raising money for the government; wrote a very telling denunciation of the Hartford Convention; and heartily supported the government in the chartering of the new bank in 1816. He now turned his attention to finance; with astonishing rapidity he became an expert in that difficult science; was appointed a director of the bank; and shortly before Jackson's election became its president. His country seat, Andalusia, on the Delaware, became noted for the distinguished people who visited it no less than for the social brilliancy of its master and his charming wife.

(10) *Commerce*

The wealth and power of the new classes that were typified by Biddle rested mainly on commerce, manufacture, and money lending. That was why many of the great landlords of the south were hesitating which way to turn—whether they would cast in their lot with the agrarian masses of the west, or with the commercial capitalists of the north, or draw away from both and form a social-economic group of their own.

Commerce was still a matter of first importance. Its very importance was partly the cause of the nervousness of the maritime interests of the north in the years before they decided to make common cause with the manufacturers. So much money was invested in ships. The great merchant engaged in foreign trade was still, in the main, the most distinctive figure among American capitalists. Joseph Peabody, of Salem, as characteristic of his generation. "Seven thousand sailors," says Ralph D. Paine, an authority on the subject, "signed articles in the counting room of Joseph Peabody and went to sea in his eighty ships, which flew the house flag in Calcutta, Canton, Sumatra, and the ports of Europe until 1844." Sometimes a partner in one of the great merchant houses made his home abroad. When Biddle became president of the bank perhaps the richest and

most influential merchant in China was John Perkins Cushing, the Asiatic member of a celebrated firm, Perkins & Co., of Boston.

Regular packet lines operated across the Atlantic. There was the Black Ball Line, which dated from 1816, and the more recent Red Star Line and the Swallowtail Line. The packet ships were fast and commodious and gave the Americans almost a monopoly of the passenger traffic of the high seas. The first of them, the *Isaac Webb* of the Black Ball line, set the speed record by crossing from New York to Liverpool in seventeen days—a record that was seldom broken until the coming of the famous clipper ships, a generation later.

(II) Social Contrasts

Already there had come about those extremes of wealth and poverty which were described by the founders of the Workingmen's party. The houses of the merchant princes of the north overflowed with the most exquisite products of the Orient, the silks and porcelains of China, the carvings and metal work of India, the shawls of Cashmere. The great plantation houses of the south were furnished direct from Europe; their dining tables were set with glass, china, and silver that had been designed by the cunningest brains and shaped by the most skillful fingers in France and England. There was as much costly luxury in Philadelphia drawing rooms as in the days of Mrs. Bingham.

In contrast, the working people often spent fifteen hours a day in a mill. The unskilled laborer was fortunate if he got a dollar a day. Harriet Martineau, writing in the thirties, when conditions were somewhat better, says of the Waltham Mills: "Five hundred persons were employed at the time of my visit. The girls earn two and sometimes three dollars a week besides their board. The little children earn one dollar a week." Of at least one mill it is recorded that women and children had to be at work at half-past four in the morning, and were flogged if they disobeyed.

The bitterness of the industrial discontent turned chiefly on two complaints.

First, the working people had no time for education. The earliest labor newspaper protested that the children in the mills were "being brought up as ignorant as Arabs of the Desert; for we are confident

that not more than one-sixth of the boys and girls employed in such factories are capable of reading or writing their own name."

The other grievance which deeply moved the work people was imprisonment for debt. The outcry against the laws, formerly universal, which consigned the insolvent debtor to a prison, brought about their gradual abolition in the course of the next decade. There was also persistent demand among the work people for what were known as "mechanics" lien laws. "We demand," said *The Mechanics Free Press*, the abolition of all laws that permitted a creditor to seize any "tools, working implements and utensils actually necessary for the mechanic, working man, and the farmer, to carry on their business." Such demands were the opening of an agitation which in time carried its point.

Even before the revolution of 1828 the work people had gained a legal victory of great moment. In the early strikes the leaders were often arrested and tried under the Common Law on the charge of conspiracy—the idea, that is, that while an act committed by an individual may be legal, the same act committed by a combination of individuals may not be legal.¹ At first public opinion seemed all in favor of applying the law of conspiracy to strikes. In the twenties a change appeared. It was tacitly admitted that workmen might strike if they pleased, and that the strikers were punishable, if at all, only for specific criminal actions performed in the course of the strike. Among all the changes of the period few if any are more significant than the double acquisition by workingmen of the right to vote and the right to oppose their employers by means of a strike.

(12) *New Political Science*

It will be well to close this chapter with a reminder that the period had been forced by circumstance to reconsider its political science. The work of Marshall has been followed as it came to pass, step by step. The conclusion reached in *McCullough vs. Maryland* was reinforced in a series of later decisions. Conspicuous among them are three great cases.

¹ A classic exposition of conspiracy: "A spectator at a theatre might express his disapprobation of an actor, which is usually manifested by hissing, without committing any public offense. But if a number of persons were to conspire and confederate to ruin an actor; to prevent him from exercising his profession, by hissing him off the stage, this would be indictable."

In *Cohens vs. Virginia* (1821) the principle was laid down that a state could not interfere with the actions of a federal officer carrying out a federal law. Virginia had prohibited the sale of tickets for lotteries that were operating under other laws than her own. Congress had established a lottery in the District of Columbia, and tickets were sold in Virginia by persons named Cohen. The state authorities called them into a state court, by which they were fined. The case was taken to the Supreme Court. Coming soon after the bank dispute, and almost on the heels of the Missouri dispute, the case created a sensation. At the moment when it was decided there was most intemperate talk as to what might happen if the principle of national sovereignty were insisted upon. Taylor had launched his attack on Marshall (page 443). Only six weeks previous to the decision in *Cohens vs. Virginia*, the legislature of Ohio had sent a memorial to the Senate notifying it that Ohio had no intention to surrender any rights of sovereignty, denouncing the principle of *McCullough vs. Maryland*, and flatly setting the Supreme Court at defiance (page 400). Virginia, Pennsylvania, Indiana, Illinois, and Tennessee had taken the same position. For the moment it seemed as if the fierce language of men who foretold a speedy dissolution of the Union had a good foundation. Marshall accepted all this as a challenge, and stuck to his guns. His decision amplified the nationalistic principle by asserting the right of the central government to protect its agents against state interference, and denied the right of Virginia to punish the Cohens.

In *Gibbons vs. Ogden* (1824), also known as the "Steamboat Case," the issue was whether the state of New York could monopolize the control of coastwise traffic between the ports of other states and her own. The case grew out of the refusal of a steamboat man in New Jersey to take out a New York license for navigating the Hudson. When the case was decided transportation was fast becoming a matter of utmost importance throughout the country. Wherever there was opposition to the nationalistic principle the popular demand was to leave this urgent matter in the hands of the states. But the Constitution provides that Congress shall have power to regulate interstate commerce. Nevertheless the champions of state sovereignty saw that they would be driven from another stronghold if the states were permanently deprived of this power. It was felt that

what was really at stake was not the one subject of steamboat licenses, but the general subject of how far Congress should be permitted to take in hand the far-reaching matter of a general system of transportation. It was the old issue of internal improvements (page 394) in a new form. While *Gibbons vs. Ogden* was being argued a bill for surveying roads and canals was hotly debated in Congress and was described by its opponents as another device of nationalistic tyranny.¹

Again, as three years before, Marshall met the challenge of his enemies by a cool defiance. He swept their arguments aside as of no weight. State laws were invalid when they interfered with a national law; a national license to engage in coasting trade prohibited a state from closing its ports to the person who held the license; Congress had supreme power over all forms of interstate commerce.

The third of these later cases was *Osborn vs. The Bank of the United States*. It was decided less than three weeks after *Gibbons vs. Ogden*. In a way it was the complement of *Cohens vs. Virginia*. While the latter case had given the federal government the right to protect its officers against state interference, the Osborn case gave it the right to proceed against state officers whose action was in defiance of federal law. The case was an outcome of the resistance in Ohio to the Bank of the United States (page 400). The state treasurer of Ohio who had seized bank funds under state authorization was arrested and imprisoned by the federal authorities. While Congress was storming over the Road Survey Bill and the tariff of 1824, and southern members were warning Congress that it was inviting ruin, Marshall sustained the action of the federal officers in Ohio, thus completing the great conception he had built up—the nationalistic interpretation of the Constitution.

Threat of civil war had not been absent from these debates. They had deeply disturbed a great southerner who, though the antithesis of Marshall, in many ways was also a man of genius. Calhoun, whose casting vote against the Woollens Bill had thrown the tariff into politics, was troubled equally by the nationalistic theory and by the threats of disunion. To reduce South Carolina to the status of a

¹ Said John Randolph: "Should this bill pass, one more measure only requires to be consummated; and then we, who belong to that unfortunate portion of this confederacy which is south of Mason and Dixon's line . . . have to make up our minds to perish . . . or we must resort to measures which we first opposed to British aggressions and usurpations. . . ."

mere province dominated by Washington seemed to him a tragedy. To break up the Union, to throw each state upon its own resources in time of war, seemed to him almost equally disastrous. He did not want nationalism, but neither did he want disintegration. He wanted a political system that would accomplish three things: (1) preserve secure the sovereignty of the states, enable each to lead its own life in what manner it chose; (2) save the Union as a defensive league insuring concerted action of the states in the hour of danger; (3) provide some mode by which a state might protect itself from the despotism of the majority without going the whole length of withdrawing from the Union.

To work out a theory of the government that would combine these three features, he drew upon the theories of Jefferson, especially as expressed in 1798 (page 339), upon the views of his own opponents in the War of 1812 (page 382), and upon the logic of recent events, as well as the writings of Taylor. He moulded all these together in a communication to the legislature of South Carolina. It has been known ever since as the South Carolina Exposition. His authorship of this paper was not made public at the time, but was widely suspected.

Calhoun accepted the compact theory of the Constitution (page 339). He held that the Constitution was established not by the nation as a whole—Marshall's theory—but by the states. He pointed out that the Union had a defense against the states in the power of the Supreme Court, but that the states had no defense against the Union. To give the states such a defense he asserted the right of each state to forbid the enforcement of federal laws within its borders—nullification.

But as this idea, unrestricted, would produce chaos, he looked about for some tribunal that should be empowered to pass upon state action and either justify or repudiate it. He found the means for creating such a tribunal in the mode of amending the Constitution.¹ He set forth the principle that the states themselves collectively should pass upon the validity of a state's action. A three-fourths

¹ "The Congress whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution, or, on the application of the Legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes, when ratified by the Legislatures of three-fourths of the several states, or by conventions in three-fourths thereof. . . ."—Constitution, Article V.

majority in a convention of all the states should be the ultimate tribunal by which the action of a state should be judged.

Calhoun had replied not only to the abstract part of Marshall's conception, his theory of sovereignty, but to the concrete part, the mode of making effective the freedom of action of federal officers. It is an evidence of the practical instinct of the American people that this was the part of Calhoun's pronouncement which at once became fixed in the popular mind, became the issue when the two theories clashed in 1833 (Chapter XXV), and has remained in popular memory ever since.

(13) End of an Era

It must now be plain that a revolution—though in many respects a silent one—had taken place in American life between 1812 and 1828, between the time when the War Hawks invoked the ruthlessness of majority rule and the election of the first western President.

It was not a revolution in any one phase of life, but a general pervasive change that was felt in all directions among all classes. It had a tragic side. Those misfortunes of the seaboard that had produced the exodus to Missouri did not cease with the compromise. They became, if anything, more disheartening.

In the latter part of this third decade three ex-Presidents who had once lived the life of grandees were reduced to poverty. Monroe was obliged to sell his beautiful estate of Oak Hill for a mere fraction of its former value. He left Virginia and spent his last years, a poor man with the feelings of an exile, in New York.

Madison, whose estate of Montpelier, now the property of strangers, is still beautiful, was so reduced that he applied to Biddle and the Bank of the United States for a loan of \$6000. The loan was refused. He sold off many of his lands, but retained his famous house. The lavish hospitality that once characterized it was given up; with strict economy he continued to live there until, old and disillusioned, he died.

Jefferson, while he was establishing the University of Virginia, was in such straits financially that he asked the legislature for permission to sell his land by lottery. The prompt action of his friends, who started popular subscriptions for his relief, extricated him from debt and enabled him to live out his life at Monticello.

In reading that delightful correspondence with his old friend John Adams (page 174) one would never suspect that his letters are those of a ruined man. The two veteran statesmen, despite all their disappointments—each having lived to see so many of his plans go wrong—wrote without a tremor in these letters the valedictory of an age. On the 4th of July, 1826, both died—Jefferson was in his eighty-third year, Adams in his ninety-first.

Writing to Adams a few months before their deaths, Jefferson had introduced his grandson, Thomas Jefferson Randolph: "Like other young people he wishes to be able in the winter nights of old age, to recount to those around him what he has heard and learnt of the heroic age preceding his birth, and which of the Argonauts individually he was in time to have seen.

"It was the lot of our early years to witness nothing but the dull monotony of a colonial subservience; and of our riper years, to breast the labors and perils of working out of it. Theirs are the Halcyon calms succeeding the storm which our Argosy had so stoutly weathered. Gratify his ambition then by receiving his best bow; and my solicitude for your health, by enabling him to bring me a favorable account of it. Mine is but indifferent, but not so my friendship and respect for you."

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CHAPTER XXV

ANDREW JACKSON

(I) *Character of the Man*

A PERSONALITY of immense force had entered the White House. Jackson has had the misfortune to be written about most often either by contemporaries who had no thought but to grind their own axes under his shadow or by enemies who took no trouble to understand him. A boldly illogical man, he has had the ill-luck to be interpreted generally by logical men. We can comprehend him only when we acknowledge that some of the strongest types of men are not logical. The unity of their characters is in their temper, not in their mode of reasoning. A man of this sort feels in himself an inflexible emotional instinct, and to this, rather than to his mind, he intrusts his judgment. Such a man decides each issue presented to him on its own merits in the light of his own inward unity of emotion, and is not troubled when men who are logical first of all pronounce him inconsistent. Jackson was such a man—fierce, high-handed, impetuous, seldom stopping to think things out, acting generally on the spur of the moment, he was nevertheless, in his own way, consistent—emotionally consistent. In his own way he had a sure intellectual power. He had a faculty for conceiving situations in terms of his own ideals, for penetrating through every disguise to just what it was that, for him, gave the situation its meaning. Having reached this point in

his examination of a problem he became—paradoxically enough—relentlessly logical. Thereafter, he went on step by step from premise to conclusion with an inhuman precision that was appalling.

Men of slight imagination, or of an excess of logic, failed to follow his mental processes. Shrewd little politicians who gathered about him, who so often played upon his generous nature and used him for their own ends, were never sure just what he would do next. They could not gauge the emotional unity that was his motor power. One of the greatest men of his time, Calhoun, failed to comprehend him from the opposite reason. To Calhoun, superbly logical, every human action was a precedent. If Jackson, in one connection, took a step that involved recognizing the sovereign claims of a state—as in the controversy over the Georgia Indians (page 482)—Calhoun saw the precedent thus established to the exclusion of all other factors involved. He felt he had thereafter a right to demand of Jackson a consistent State-rights course. He was unable to think well of any man who would have justified Jackson's action the way Jackson himself, had he been gifted with Calhoun's power of speech, might have done. Jackson looked on the Georgia case by itself, as for him an isolated emotional fact; he asked himself what were its predominating factors; determined that it was first of all a case of downing the Indians, whom he hated; he saw this conclusion to the exclusion of all else; and treated the idea of precedent as wholly negligible. Furthermore, he had a magnificent faith in his power to impose his will upon circumstance. If a cautious nationalist—and Jackson was a nationalist—had whispered, "You are creating a precedent that may hamper you in some other connection where the sovereignty of a state may need to be checked," the Napoleonic egoism of the man would have led him to reply, "And will not I be strong enough to deal with that situation if it arises?"

The most famous instance of the sternly emotionalized logic of Jackson was his duel, before he became President, with Charles Dickinson. Jackson was wildly in love with his wife. She focused in his mind a chivalric respect for all women which was still a common faith on the frontier. A sneer at his wife provoked the duel. Jackson contemptuously withheld his fire; Dickinson fired and missed. Then, coolly, deliberately, while his enemy stood helpless before him, Jackson took careful aim and shot him, inflicting a

mortal wound. Mrs. Jackson's death, shortly previous to his election, was a grief which he never entirely cast off.

Jackson brought east the frontiersman's distrust of money, his passionate sense of equality, his disregard of tradition.

His going to Washington, as President-elect, was an ovation. The inauguration was an orgy. The man whose house in Tennessee was always open threw wide the doors of the White House. If bitter contemporaries are to be trusted, we are to conceive the inaugural guests as wild mobs that surged in through windows as well as doors, that stood with muddy boots on damask sofas, that roared out its thirsty demand for punch, and consumed it by the tubful.

In selecting the Cabinet Jackson had had the advice of several shrewd friends with whom he continued to confer. Others were added to this confidential group. The report arose that this "Kitchen Cabinet"—so styled in futile anger by its enemies—was the power behind the throne. It must be remembered that the moment was a spiderweb of the bitterest intrigue. Nobody's account of an enemy is to be trusted. Though this clique of the President's friends were often able to work upon his feelings or adroitly manipulate his prejudices, the picture often drawn of him as a puppet in their hands is absurd. Professor Ogg has a keener sense of fact; he writes that when Jackson "was once resolved upon a given course his friends were just as powerless to stop him as were his enemies."

There were factions in the informal as well as in the formal Cabinet. The majority wanted to see Jackson succeed himself and stay in office eight years. But it was an open secret that Calhoun, who was again vice-president, had supported Jackson in the hope of stepping into his place in 1832. At first, Duff Green, a devoted supporter of Calhoun and editor of *The Telegraph*, was a member of the Kitchen Cabinet. His paper at that time was the Jackson organ. The chief enemy of Calhoun in this inner group was John H. Eaton, Secretary of War in the formal Cabinet. Eaton was keenly watching for any means of alienating Jackson and Calhoun.

His opportunity came through his wife, but in an odd disagreeable way. Formerly she had been known as Peggy O'Neal, a very handsome woman, daughter of a tavern keeper, and the centre of much gossip. Whether the gossip was false or true, there was no denying her plebeian origin. The ladies of Washington society were deter-

mined not to recognize her. Mrs. Calhoun took the lead in the social ostracism of Mrs. Eaton. The cool enmity of Eaton the politician, in his antagonism to Calhoun, was now reinforced by the angry feelings of Eaton the man.

Jackson stood by his friend. He had two reasons. Mrs. Jackson, whose memory he revered, had been convinced that Peggy O'Neal was an innocent woman. The President's chivalry was enlisted in advance on behalf of the wife of his friend. Furthermore, she was a daughter of the people. Was she to be made a victim by the social aristocracy? Not if the President could prevent it. He issued his command that Mrs. Eaton should be received in society. To his amazement his command was futile. The ladies were implacable. For the first time in his life Jackson—the conqueror of Florida, the hero of New Orleans, the man who shot Dickinson looking straight into his terrified eyes—tasted defeat.

This was in the autumn of 1829. While the President was working himself up into a frenzy another friend of his, the Secretary of State, who like Eaton was in both the Cabinets, was a widower. In the case of Van Buren there was no lady armed with a social veto. A delightful, adroit man, the Secretary of State paid assiduous court to Mrs. Eaton. He had his reward. Jackson's heart warmed to him. His conduct was so glaringly in contrast with the attitude of Mrs. Calhoun. But this was not all. The anti-Calhoun ring, the implacable Eaton at the centre of it, made a discovery. They found that in 1818, when Calhoun was Secretary of War and Jackson hanged Arbuthnot and Ambrister (page 422), Calhoun severely condemned his course and wished to have him recalled. At a psychological moment they imparted this information to Jackson. Angry already, he now became furious. He resolved to be revenged upon Calhoun. But there was much more in the spiderweb of the hour besides personal intrigue. Even Jackson, for all his boldness, saw that if he was going to attack Calhoun successfully he must bide his time.

(2) Calhoun's Strategy

Calhoun, with his eye always on nullification as a great political device that was to save the Union while preserving state sovereignty, had in view three subsidiary purposes by means of which he hoped to accomplish his main end. (1) He aimed to build up an all-south-

ern party that should unite the south in a solid political organization. (2) In order to get support the country over, he would advocate a policy of which he had always approved, the policy of internal improvements, making the general government the benefactor of many localities. (3) Furthermore, there was a chance, he believed, to unite the two agricultural sections, the south and the west, in common opposition to the manufacturing interests of the northeast.

At the same time certain easterners were looking askance at that flow of population into the west which had so long disturbed them. Senator Foote of Connecticut did not foresee that any rash move by an easterner which might be construed as anti-western would play into Calhoun's hand. He introduced a resolution in the Senate (December 29, 1829) for the restriction of the sale of public land. Benton (page 457) instantly construed the resolution as a blow at the prosperity of the west, as an attempt to prevent the eastern workingman from escaping from his hard conditions of life by taking up public land.

Here was an opportunity to further the State-rights theory while making capital out of eastern hostility toward the west. The resolution was attacked as an instance of what might be expected if it were admitted that a sectional majority had a right to control the central government. Calhoun, being president of the Senate, did not take part in the controversy that ensued, that is often spoken of as "the Great Debate." His place as the argumentative leader of the State-rights forces was taken by Hayne. The national view was supported by Webster.

As a constitutional argument the Great Debate was no more than a culmination of the controversy that had been growing in significance ever since the Resolutions of 1798. Hayne built upon those Resolutions, on the amplification of them by Taylor, and on the theory of nullification developed by Calhoun. Webster built upon Marshall and raised to its highest power the argument that was begun in *McCullough vs. Maryland*. Both men were great orators. Each produced a profound impression.

Politically, the Great Debate deserves all the importance generally attributed to it. The long contention over Constitutional theory, involved as it was in such a complicated clash of interests, was fast producing a crisis. Added to this were the secret animosities of the

political leaders—the desire of Calhoun to succeed Jackson, the newly aroused hatred of Calhoun by Jackson, the intrigues in the Kitchen Cabinet. But the time had not come when either of these powerful rivals felt strong enough to make open war on the other. Calhoun's supporter, Duff Green, was still a member of the President's inner circle.

Webster in the Great Debate displayed his unsurpassed power for focussing an issue on some one point. He called the imagination into play and drew a picture of the clash of political ideals that is one of the triumphs of American literature. For the moment, questions of policy, of mere legality, seemed to disappear from the controversy. He emotionalized the issue, asserted the sovereignty of the nation as the only sovereignty, and described opposition to it as the advancing shadow of civil war. Foote's resolution was forgotten—no action on it was ever taken—and the country held its breath, conscious that a great artist in words had clothed a terrible issue with the power to shake men's hearts.

On both sides the involuntary thought was at once the question—Who is with us, who against us? The second thought was, Where does the President stand?

At a political dinner on Jefferson's birthday (April 13, 1830) Jackson answered that question. When he was called upon to give a toast, the stern old man, facing the rival whom he was burning to destroy, gave, "Our Federal Union, it must be preserved." The sentiment was natural to him. He was an instinctive nationalist. But no one can doubt that he thanked fortune for having given him the opportunity to announce his conviction in a way that made it a rebuke to his enemy. His toast was a challenge. Calhoun accepted the challenge. He replied with the toast, "The Union, next to our liberty, most dear. May we all remember that it can only be preserved by respecting the rights of the states and distributing equally the benefits and burdens of the Union."

(3) Jackson's Counterattack

A little more than a month later Jackson got another opportunity to place himself squarely in opposition to Calhoun, to call upon all the country to choose between him and Calhoun as political leader.

The policy of internal improvements was no new thing with Cal-

houn. Fourteen years before he had supported the Bonus Bill (page 394). As Secretary of War he had drawn up an elaborate plan for a general system of roads. Subsequently (1825) he drew up a still more extensive plan which would have given the country a national network of roads and canals. Neither of his plans had been put into effect. But he was still, in the public mind, identified with the advocacy of internal improvements at the cost of the general government. As a politician Calhoun was not without astuteness. He saw that the Union must be given a practical value in the eyes of commonplace men. It could not rest on sentimental grounds with no conception of nationalism as its support. His argument was not that the federal government should refuse to aid localities but that it should do so only in such ways as should not favor one locality at the cost of another.

At the time of the Jefferson dinner a bill was under discussion which was directly in line with Calhoun's policy. It would have authorized the general government to assist in the building of a highway in Kentucky—the Maysville turnpike—by purchasing stock in the company that was to build the road. Many of Jackson's best friends urged him not to make an issue upon the Maysville Road Bill. They believed that upon this issue Calhoun understood the prevailing sentiment as to internal improvements. They were wrong. Calhoun had misjudged the country. Jackson, in refusing to take the advice pressed upon him with regard to the Maysville Bill, revealed one of his distinguishing traits. In some strange way, he had an uncanny sense of what the populace wanted. He knew that he would make more friends than enemies if he vetoed the bill. He did so (May 27, 1830). His timid friends were astonished by what followed. The popularity of the "old hero" redoubled. Especially in Pennsylvania and the west, where it was so important for him to make sure his hold, popular applause justified his own remark that only politicians and contractors wanted internal improvements at national expense.

(4) Calhoun Defied

So far Calhoun's strategy had not succeeded. Jackson now felt himself strong enough to come to an open break with him. The Kitchen Cabinet had been busy collecting evidence as to Calhoun's

sentiments at the time of the Florida War. A letter was obtained from Crawford which was explicit. Jackson sent the letter to Calhoun and demanded an explanation (May 12, 1830). Calhoun hesitated what to do. While he hesitated Jackson gave him grim notice by vetoing the Maysville Bill.

The reply which Calhoun finally decided to send to Jackson was not happy. It admitted his former attitude toward the conqueror of Florida, but neither apologized for it nor boldly defended it. Other letters were exchanged. It was a tense correspondence, cold and haughty on the part of Calhoun, excited and scornful on the part of Jackson. Thus the breach which the fierce old campaigner desired drew swiftly near. At length a curt note from Jackson informed Calhoun that the President was no longer his friend.

It was a declaration of war. But Jackson was as crafty as he was bold. For his next move he waited until after the autumn elections. They were favorable to the administration. Jackson would have control of the next House. He speedily struck another blow at Calhoun. *The Daily Telegraph*, of which Duff Green was the editor, had hitherto been the administration organ. Jackson now dropped Green from the Kitchen Cabinet and withdrew his support from *The Telegraph*. In December, 1830, appeared a new journal, *The Globe*, which was at once recognized as the official organ of the President. Its editor, Frank P. Blair, stepped into Green's shoes as the journalistic favorite of Jackson.

By this time both men were taking desperate chances. Calhoun's next move was perhaps the boldest of the entire game, and proved to be his undoing. He published his correspondence with Jackson (February, 1831). *The Globe* promptly denounced him as a traitor to the party, trying to split it into factions.

He had thrown the game into Jackson's hands. There were still Calhoun men in the Cabinet. These were forced to retire in the following spring (1831), and the Cabinet was reconstructed without a member who was friendly to Calhoun.

In all these political manoeuvres Jackson had the advice not only of the practical politicians of the Kitchen Cabinet, but also of his talented Secretary of State, Van Buren, and all of them were aiming to keep the political situation in rather a complicated condition. They did not want it to become focussed on any one sharp issue. Their

hope was to be able to commend Jackson to one region for one reason, to another for a different reason. If they could break up the presidential contest into a number of local contests, they felt sure of victory in 1832. Calhoun, observing the finesse of their strategy, saw that they were in a fair way to succeed. He also saw the imperative need, from his point of view, to reverse what Van Buren was doing, to consolidate the issues, to force upon the country a single question which no one could evade. For him, there could be but one such question. He made public his authorship of *The South Carolina Exposition*, and issued a very famous paper, his *Address to the People of South Carolina* (July 26, 1831). It restated the principles laid down in *The Exposition* and by means of elaborate argument resolved all the questions of the hour into the one central question whether "this right of interpretation . . . be it called what it may, State rights, veto, nullification, or by any other name," did or did not exist.

Jackson was too bold a strategist not to make some sort of counterattack. But he did it in his own way, in harmony with the subtle tactics of Van Buren. Calhoun had blown his culminating blast by insisting on a principle. Jackson replied by pointing to a character. In the autumn, this same year (1831), he announced that he was a candidate to succeed himself. He also let it be known that he had picked out his eventual successor. The lucky man was Van Buren.

It was now a duel to the death between Jackson and Calhoun. The latter burned his last bridge by an amazing piece of audacity. Van Buren had resigned as Secretary of State and had been nominated by Jackson minister to England. When the nomination came to the Senate for confirmation the Senators divided evenly. Calhoun used his casting vote, and thus rejected the nomination. Jackson was furious. There was an outcry from his followers pledging themselves to make Van Buren his successor.

(5) *The Key to the Strategic Position*

The even vote in the Senate on the confirmation of Van Buren contained a warning for the President. While he and Calhoun had fought out their duel for control of one wing of the Republican party, Clay and Adams had been drawing farther away from them

both and nearer to Webster and other politicians, who were still at heart Federalists. Each wing of the party had adopted a name. The Jackson men called themselves Democratic Republicans; the Clay-Adams group were known as National Republicans. The Calhoun group were drifting away from both the others. But might it be that they held the balance of power? In that possibility lay the menace to the President's party in the vote on Van Buren.

Even before that vote had been taken the National Republicans virtually proclaimed themselves a separate party from the Democratic Republicans. A new political device had established itself in state politics and was now to become an accepted thing in national politics. This was the nominating convention. It is more than likely that one reason why Calhoun had dared defy the President and vote against Van Buren was the definite split in the party accomplished the previous month when National Republicans met in general convention and unanimously nominated Clay for President.

Because of the party split there was still a chance that Calhoun's strategy might prove successful and Jackson be driven from control of the Democratic Republicans. Jackson himself had no fear that either Calhoun on the one hand or Clay on the other could prevail against him. But he was too wise a politician not to use the first half of 1832 strengthening his cause in every way that offered.

Jackson was one of those who seem always to have luck on their side. The one slim chance of the Calhoun group was in the organization of an all-southern party that would take up Calhoun's *Address* and make opposition to nationalism the issue of the approaching campaign. Fortunately for Jackson, a train of circumstance which had been developing during several years, in which he had himself been involved, enabled him now to do something that was greatly to his liking and which served at the same time to turn Calhoun's flank.

The state of Georgia was having a furious quarrel with the Cherokee Indians, who were located on a reservation inside her boundaries. The Indians held their land under treaty with the United States. They had an organized government of their own. Georgia wanted their land, and called on the federal government to compel them to sell it because in the agreement between Georgia and the Union over western land (1802) the United States had agreed to remove

the Cherokees from their eastern lands "as early as the same can be peaceably obtained on reasonable terms." When Adams was President, Georgia threatened to wait no longer, to ignore the Indian government and to open the Indian lands to white settlement. When Jackson was inaugurated the Georgia Indians were one of the prob-

lems of the hour. The Indians appealed to Jackson. But they had gone to the wrong man for aid. A hatred and contempt for Indians had permeated his mind. His first message to Congress (December, 1829) included approval of Georgia's course and the recommendation that an Indian territory be created west of the Mississippi. A bill was passed creating such a territory, but not without severe criticism both of the President and of Georgia. The state set about carrying out its threats. To the criticism in Congress Jackson replied with another mes-



THE EASTERN BOUNDARY OF THE
INDIAN LANDS

sage defending Georgia in her treatment of the Indians and defending himself for not protecting them. The controversy was joyfully taken up by the National Republicans, who eventually made the Cherokee question one of the issues of the election of 1832.

At the opening of this year Georgia had every reason to want the President as a friend. Jackson had good reason to want to attach southern states to his personal fortunes. Alabama and Mississippi had Indian problems very similar to those of Georgia. A striking display of his anti-Indian feeling would wipe out the last chance of an all-southern combination led by any one but himself.

At this point Jackson's luck—or the deep-laid strategy that has escaped record—gave him a fortunate opportunity.

In February, 1832, John Marshall decided the famous case of *Worcester vs. Georgia*. A detail in the seizure by Georgia of the Cherokee lands was the requirement that any white man entering those lands must provide himself with a license from the state. The Reverend S. A. Worcester, a missionary employed by the American Board, refused to recognize the authority of Georgia over the Cherokee Reservation. He was arrested by state officers and thrown into prison. His cause was taken to the Supreme Court. Though Georgia refused to participate in the trial, Marshall decided that the state laws affecting the Indian government and the Indian lands were invalid and commanded the state authorities to set Worcester free. Georgia paid no attention to the decision. Jackson took her side. The decision became a dead letter. Jackson is reported to have said, "John Marshall has made his decision, now let him enforce it."

Whatever Jackson might feel upon the subject of nationalism, whatever Georgia might feel about State rights, there was no doubt that the issue would be evaded in the election and Georgia, Alabama, and Mississippi would stand fast by Jackson.

(6) *Clay Creates a Crisis*

Jackson was fortunate in the character of one of his chief opponents. The bold and impetuous Clay, though at times he could be as wily as Van Buren himself, was inclined by nature toward hard hitting. His ambition was great and it was ungratified. More than twenty years had passed since he had seemed to take the centre of the stage, and yet he was still unable to dominate the scene. Now he was eagerly casting about to find a political clientele with sufficient unity to enable the National Republicans to build upon it a genuine new party.

The great leaders of the movement—Clay, Adams, Webster—were predisposed to advance three causes: nationalism, protection, the financial interests of the wealthier classes—what we have come to know as capitalism. Of these, nationalism as a weapon against Jackson had been put out of the game by the President's avowal of it as part of his own political creed. There remained protection and capitalism. Clay had resolved to force the fighting on these issues.

In January, 1832, he introduced into the Senate resolutions that were to clear the way for a new Tariff Bill with further increases of duty. When it was pointed out to him that his proposals went straight against the free-trade sentiment of Calhoun and most southerners and would antagonize Jackson, he replied that he would have his way "in spite of the south, the President, and the devil." He succeeded. There resulted a long wrangle in which the Jackson men of the north and west gave little aid to those Democratic Republicans who held out for free trade. Chief among the free traders was George McDuffie of South Carolina, who was perhaps even more enthusiastic for nullification and anti-nationalism than Calhoun. But the National Republicans and the cautious Jacksonians were too strong for him. Clay had put Jackson in somewhat the same position in which Jackson's friends had put Adams four years before. Like Adams, Jackson felt constrained to accept a tariff that was higher than he liked. A veto might lose him the support of Pennsylvania and New York and parts of the west. Though the bill was intensely unpopular in the planter class of the southeast, especially in South Carolina, Jackson signed it (July 14, 1832).

Whether there was gain or loss for either Jackson or Calhoun in this tariff controversy is a question. But there can be little doubt that Clay's financial strategy was rash and proved in the long run to be altogether to the advantage of Jackson. By temper, by association, by reasoning, the National Republican leaders were predisposed to favor a national bank—or, as we might say today, some form of central bank. Jackson shared the western belief that such institutions were bound to be oppressive. His first annual message expressed his lack of faith in the United States Bank. His views had been repeated in other connections. But he had not, as yet, made an issue on the subject. Clay determined to force him to do so. The National Republican leaders—among whom Biddle should be included—believed that the next election would be determined by those powerful eastern states in which, because of the rapid development of capitalism, an effective banking system was of first importance. In the same month in which Clay introduced his tariff resolutions, a bill was brought in providing for the extension of the charter of the bank fifteen years. Minor changes were to be made in the organization of the bank. But these were immaterial. The bill was

a notification to the capitalistic classes and the capitalistic localities that the National Republican party was the champion of their interests. It was another defiance of the President. Either he must accept the leadership of Clay or he must nail his colors on this financial issue. Again a coalition was effected in Congress and the bill passed. But on this issue Jackson's sure intuition of the crowd told him just what to do. At practically the same time he accepted the Tariff Bill and vetoed the Bank Bill (July 10, 1832). His veto was a masterly campaign document. Very probably it was written by Edward Livingston, successor of Van Buren as Secretary of State, and one of the most brilliant men of his time. After adroit arguments against the constitutionality of the bank and against its economic justification, the climax of the message was an appeal to regard the issue as one more count on the age-old conflict between despotic wealth and honest poverty. "It is to be regretted that the rich and powerful too often bend the acts of government to their selfish purposes. . . . There are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to equal protection, and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing. In the act before me there seems to be a wide and unnecessary departure from these just principles."

Among all the confusions, the evasions, the criss-cross of local interests, in the election of 1832 this grim note of the warfare of the rich and the poor was forever sounding.

(7) *The Isolation of South Carolina*

As the summer drew to a close the issues of the campaign appeared to be drifting far away from what appeared to Calhoun and McDuffie and the rest of the ardent free traders and State-rights men the real danger of the hour. The skillful strategy of Jackson had put an end to the dream of an all-southern party; nationalism as an issue had been sidetracked; protection in some form was an accepted principle in both the organized parties; the one incontestable issue of a general character was the financial one. The bank message might be compared to a splendid counterattack by a general in action focussing all his battle on one point.

The nullifiers attempted to reply in kind. They would make a last

attempt to bring the campaign back to what, in their minds, was its original and genuine issue. Calhoun published his *Fort Hill Letter*—dated at his plantation, Fort Hill, August 28. There was a minority in South Carolina opposed to nullification. They were endeavoring to carry the local elections and choose a legislature opposed to strong measures. Calhoun's letter roused fresh interest in nullification and contributed to the defeat of the "Unionists." The new legislatures met in October. With the federal election only a few weeks distant, this legislature served notice on the whole country that South Carolina would resist the further enforcement of the tariff within its borders; provision was made for a convention of the people of the state, to meet November 19, 1832, for the purpose of deliberating whether the state should remain in the Union.

If this bold action brought back into most men's minds the issue of *Nationalism vs. State's Rights*, it served only to strengthen the hand of Jackson. The election also justified his intuition of the populace. Even Pennsylvania, where Clay had thought that capitalism was entrenched, went enthusiastically for Jackson. His vote in the electoral college was 219 against 49 for Clay. South Carolina stubbornly refused to vote for either.¹

The convention of South Carolina met on the date appointed and shortly afterward passed the Ordinance of Nullification (November 24, 1832), which declared the Tariff Acts of 1828 and 1832 inoperative in South Carolina, forbade appeals to the federal courts relative to these acts, and fixed February 1, 1833, as the date when the ordinance should go into effect.

Even before the passage of the ordinance, Jackson had made up his mind to use force if the nullifiers stood to their guns and defied the federal government.² His reply to the Nullification Ordinance

¹ Her eleven votes were thrown away in a compliment to Floyd of Virginia. A minor party in this election were the "Anti-Masons," who sprang into a brief existence in a popular excitement directed against the Masonic order. William Morgan, of Batavia, New York, published what professed to be an exposure of the secrets of the society. His mysterious disappearance was followed by rumors that he had been murdered. The Anti-Masons won 7 electoral votes in 1832 but do not appear to have affected the outcome of the election.

² Jackson to Andrew J. Donelson, September 17, 1832: "I am confidentially advised that the nullifiers of the south have corrupted both the naval officers, and those of the army in Charleston, that the nullies are determined to push matters to extremities, and expect to get possession of the forts, etc., etc. See the Secretary of War and let the officers and men at Charleston be relieved by men who cannot be corrupted, and the forts and defenses on that station ordered to be guarded against being taken by surprise."

was his most famous state paper, the Nullification Proclamation (December 10, 1832). There can be little doubt that it was written by Livingston. It was a frankly nationalistic assertion of the paramount authority of the federal government. Addressing the people of South Carolina, the proclamation warned them to beware of their leaders. "Their object is disunion. But be not deceived by names. Disunion by armed force is *treason*." In a private letter he wrote, "If the assembly authorizes 12,000 men to resist the law, I will order 30,000 to execute the law"; and again, "we can send to the bay of Charleston with steamers such number of troops as we may be pleased to order in four days."

The nullifiers made a last desperate effort to form the all-southern party which was their dream. They hurried off appeals to other southern states, especially Georgia and Virginia. Had not Jackson conceded the State-rights theory in his support of Georgia against the Cherokees? But Georgia refused to entangle her claim to the Indian lands in the Constitutional question of the powers of the federal government. They were different issues. Georgia led the southwest in refusing to support the nullifiers. Virginia took practically the same position, while North Carolina came out unequivocally in support of Jackson and the Union. South Carolina was isolated.

(8) *The Nullification Compromise*

While South Carolina was being isolated a temporary coalition was built up in Congress. Clay revealed the other side of him, the astute and temporizing side. Few men have been able to pass so quickly, so effectively, back and forth between two attitudes, the domineering and the adroit. But his changes of front must not be explained as mere opportunism. He had his own sort of consistency. It concerned objectives rather than procedures. The immense failure of his capitalistic program showed him that the new party which he desired was still indeterminate. His innate nationalism was aroused. At the same time he saw that civil war might have effects impossible to foresee. The crushing of South Carolina might change the temper of all the rest of the south. As Clay felt so felt all those others who like him were drifting into a new political alignment. Webster joined heartily in a double effort to put the federal government behind

Jackson's threats, while at the same time cutting the ground from under the nullifiers by removing their actual grievance.

The temporary coalition of Jackson men and National Republicans put through two bills. The Force Bill authorized the President to use the army and navy in the enforcement of the laws of Congress. The Compromise Tariff of 1833 provided for a gradual reduction of duties until, in 1842, they should stand uniformly at 20 per cent.

The passage of these two measures was not accomplished without a treaty, so to speak, between Clay and Calhoun. While the measures were in process of development—the Force Bill expanded from a message of Jackson's advising it, and the Compromise Tariff drawn out of an earlier proposal known as the Verplank Bill, which would have reduced duties inside two years—the nullifiers met (February 1, 1833) and postponed the enforcement of their ordinance until Congress decided what it would do. In the course of the following month Clay framed the Compromise Tariff. He and Calhoun came to their understanding that neither would oppose either of these bills. On the same day, March 1, 1833, both were passed. South Carolina immediately repealed the Ordinance of Nullification and the episode was at an end.

(9) The Bank Controversy

With nullification out of the way, with the friends of the bank defeated so overwhelmingly in the presidential election, Jackson was now free to take the rôle he loved best, that of champion of the people against the money power. He resolved to break the bank. Though its charter would not expire until 1836, the business of the bank was based upon its use of the government deposits. To deprive the bank of these deposits would amount to forcing it out of business. Jackson ordered the Secretary of the Treasury to withdraw the deposits.

The secretary, William McLean, was afraid of the effect of withdrawal on the business of the country and opposed the President's course. He was relieved of the responsibility by appointing Livingston minister to France, appointing McLean Secretary of State, and finding a new Secretary of the Treasury, William J. Duane.

But the new secretary also developed scruples. Jackson, however, in the pride of his rôle as people's champion, was vindictive against Biddle, the champion of money. He had convinced himself that the government funds were not safe in Biddle's keeping. When Duane, after holding office but a few months, refused to obey the President he was dismissed.

His successor, Roger B. Taney, solved the problem by leaving the deposits where they were but ordering that all further deposits by the government, beginning October 1, 1833, should be made in state banks. Though the bank still retained large sums of government money, which were drawn out gradually, the action of Taney virtually closed its career as the Bank of the United States.

All this happened in 1833 while Congress was not in session. When Congress met, Clay secured the rejection of Taney's appointment as secretary. Two years later Jackson appointed him chief justice to succeed John Marshall.

(10) Jackson's Foreign Policy

Jackson had reached the height of his power. Few Presidents have ever dominated their surroundings as completely as Jackson did in 1834. He had successfully made his own will the basis of policy in ways so diverse that the results appear to the careless eye inconsistent. The large personal element in all his policies has led historians to speak of his administrations as "the reign of Andrew Jackson."

He had been successful abroad no less than at home. Three diplomatic adventures were brought to a close with satisfaction to the United States.

Oriental trade had steadily grown in significance. At Canton there was a colony of American merchants who conducted their relations with China much as if they were an isolated little republic. Though these influential traders did not as yet seek the interference of America in Chinese politics, their correspondence with the United States stimulated the belief that all the Orient formed a field for American enterprise not fully developed. At the same time an enterprising trader, Edmund Roberts, became convinced that Arabia should be included in the field of American trade, and that our gov-

ernment should negotiate commercial treaties with all the maritime states of Asia. Roberts was a friend of Jackson's Secretary of the Navy, Levi Woodbury. His cause was advocated by Woodbury in the Cabinet. The Secretary of State, Livingston, also had his eye on the Orient. But in Livingston's view Japan, which was still virtually closed to foreigners, was the great objective.

The support of the two secretaries brought about the mission of Roberts to the Far East. He did not accomplish its main purpose, the opening of Japan. His death of an oriental malady (1836) temporarily brought the Japanese scheme to an end. Previously, treaties had been concluded with Siam (March 3, 1833) and with Muscat (September 14, 1833), which opened those countries to American trade on favorable terms.

The trade with the British West Indies presented Jackson with a problem that he did not entirely solve. The British navigation laws permitted foreign trade to the West Indian colonies only on the payment of preferential duties that bore heavily on American trade, while at the same time American tariff regulations bore heavily on British trade. In 1830 there was a disposition on both sides to adjust the matter, or at least to find some sort of agreeable compromise. Jackson's minister to England, McLean, made a favorable impression and the British Government met him half way. Each government levied tonnage duties on the ships of the other, and also customs duties on imported goods. The latter, under the conditions of 1830, had to be left out of the discussion. But both governments agreed to abolish their tonnage duties. This was a material benefit to the Americans and was trumpeted by the Jacksonians as a great diplomatic achievement.

A long-standing quarrel with France was also terminated, but not until the friction between the two nations had become so menacing that it appeared to threaten war. The United States had a list of unpaid claims against France based on seizure of American property by Napoleon. Though similar claims by European powers had been settled, France had persistently refused to settle the American claims. Jackson determined to force a settlement. A treaty was negotiated (July 4, 1831) under which we were to receive from France 23,500,000 francs and our customs duties on French wines were to be materially reduced. But the French Parliament refused

to appropriate the money called for by the treaty. Jackson took the high hand. He urged Congress to satisfy the American claims through seizure of property in the United States held by French subjects (December, 1834). "After the delay on the part of France of a quarter of a century in acknowledging these claims by treaty, it is not to be tolerated that another quarter of a century is to be wasted in negotiation about payment." This threat put France in a passion. The French minister at Washington was recalled. Though the French Parliament voted the necessary appropriation it was made conditional on a virtual apology from Jackson. He refused to apologize and there followed rupture of diplomatic relations (November 8, 1835).

At this critical moment when talk of war was loud in the United States, England intervened as mediator. Both France and America had acted precipitately and on second thought were willing to be persuaded to draw in their horns. The result of the English mediation was a resumption of diplomatic relations (1836) and the execution of the treaty.

(II) The Independence of Texas

An event of first importance occurred on the last day of Jackson's presidency. Fully to understand its bearing we must go back to the unsuccessful attempt of Adams to buy Texas, ten years before. Since then two distinct trains of events had developed behind the scenes of American politics. Suddenly, as Jackson's administration neared its close, they intertwined, came out into the open, and drew a dividing line across American history.

One of them involved a futile attempt to add Texas to the United States. A curious adventurer by the name of Anthony Butler gained the confidence of Jackson, persuaded him that, after all, Texas could be bought, and was sent by Jackson to Mexico for that purpose. Butler knew nothing of the real feeling in Mexico. His mission produced a storm of indignation. Jackson made haste to drop the matter. Instead, he made a commercial treaty with Mexico confirming the Spanish Treaty of 1819 and fixing the boundary of the United States at the Sabine.

Mexico was thoroughly aroused against the Americans. Texas was fast becoming the most prosperous part of Mexico. The true ex-

planation was the adventurous and energetic character of the American settlers whose "infiltration" into Texas went steadily forward. The Mexican authorities laid more stress—at least officially—on the fact that the Americans possessed slaves. By Mexican law slavery was prohibited. But the law was evaded by the American emigrants, who "contracted" with their slaves before crossing the Sabine for their continued labor in bondage.

The Americans were re-enacting the process that had given them possession of West Florida. Mexico perceived the danger inherent in such a situation. In order to guard against a possible uprising and secession of this alien population Texas was joined to the Mexican state of Coahuila. This was followed by a decree of the Mexican federal government reaffirming the laws against slavery and forbidding further immigration from the United States (1830).

Until this time and for a little longer the Texans were loyal citizens of Mexico. But they were determined to have local autonomy as a state in the Mexican federation. When civil war broke out in Mexico they attached themselves to the party of Antonio Lopez de Santa Anna, from whom they expected recognition as a separate state. Santa Anna issued victorious from the civil war and promptly made himself dictator of Mexico. He refused to give Texas autonomy and placed it under the rule of a military governor.

The Texas Revolution quickly followed. Two remarkable men were its central figures. Stephen F. Austin (page 428), who had been faithful to Mexico almost to the last moment, was the civil leader of revolt. In March, 1836, a Texas convention issued a declaration of independence.

At that time desultory war between the Mexican forces and Texas militia had gone on for nearly a year. It began in April, 1835—a curiously significant month in American history—when the Mexicans attempted to seize a cannon belonging to the town of Gonzales. Their failure to do so reminds one of the ill-timed adventure of the royal forces at Lexington, in another April, sixty years before. While the convention was in session Santa Anna had surrounded the Alamo, a scantily garrisoned fort at San Antonio. Its defense is one of the classics of American valor. The defenders died to a man (March, 1836). Thereafter "Remember the Alamo" was the Texan rallying cry.

General Sam Houston was the military leader of the revolt. His skillful retreat led Santa Anna in pursuit to the banks of the San Jacinto River. Suddenly Houston turned upon him, slew more than a third of his force, and captured the rest, including their commander (April 21, 1836). Santa Anna was released upon signing a treaty acknowledging the independence of Texas—a treaty which he repudiated the moment he was at liberty. Texas appealed to the United States for admission as a state of the Union.

So much for one of the two trains of events that had developed off the political stage since 1827. The other was a change in sentiment in the United States with regard to slavery. It will be examined more fully in the next chapter. The political effect of the change centres around the figure of John Quincy Adams. The man who was most eager to annex Texas in 1827 was the bitterest opponent of annexation in 1837. His change of front in those ten years is deeply significant of the time.

Between those two dates the new hostility toward slavery, which will be traced in Chapter XXVI, sprang into life, grew swiftly, and became a political force. It dated from 1831 (page 499). In 1832 Benjamin Lundy made a journey through Texas hoping to plant there free colonies. He met influential Mexican officials who filled him with their own views of the slaveholding Americans of Texas. He came home to write articles and pamphlets that depicted Texas as a den of thieves. When the war came he described it as an "invasion of brigands from the United States"—because many high-spirited young Americans went to Texas and joined the revolutionists.

Adams became a convert to Lundy's views. The new fury against slaveholding, together with a reaction against Calhoun's attempt to create an all-southern party, were in joint possession of his thoughts. He accepted Lundy's violent theory that the southern politicians had stirred up the Texan war for no purpose but to add "five or six more slaveholding states to this union." When Senator Morris of Ohio proposed to recognize the independence of Texas, Adams made a speech which he described at the time as "the most hazardous" he had ever made. In most intemperate language he denounced the President for his supposed Texan sympathies.

In this way—Texas appealing to him on the one hand, Adams

denouncing him on the other—Jackson came to his last important problem as President. His sympathies were with the Texans. The instinct of the frontier was strong within him. But he was also the astute politician. He was concerned first of all in securing the descent of the presidency to his friend and lieutenant Van Buren. The country was in the midst of financial difficulties that were destined to make trouble for Van Buren, that can be best accounted for in explaining his administration (Chapter XXVII). It behooved Jackson to keep his sympathies under control and move with caution.

For nearly a year following the bloody fight at the San Jacinto, Jackson played the rôle of sphinx while his enemies and the troubled Texans and the angry Mexicans guessed in vain at his purposes. He assured them all that he wished to be guided by Congress. All looked about to see why. Van Buren's fortunes were the heart of the matter.

Gradually it became plain that annexation was out of the question. But should Texas be formally recognized as an independent republic? Calhoun and the south generally urged recognition. Clay, Adams, Webster, backed by a large part of the north and west, opposed it. Jackson was non-committal until after the election of 1836. Van Buren was sweepingly successful. Jackson at last showed his hand. A resolution, that expressed the wishes of the White House, passed the Senate. It favored recognition. On the last night of his administration Jackson invited commissioners of Texas who were in Washington to have a glass of wine with him. He told them that the action of Congress had settled the matter, that he had nominated a *chargé d'affaires* to the Republic of Texas.

With an air of impeccable meekness the grimmest, and in some respects the most bewildering, figure that has occupied the White House returned into private life. He was quite satisfied with his career, convinced that he had won all his battles, and was bequeathing nothing but good fortune to his successor. Events were to show that he was profoundly mistaken.

Under his eyes, but apparently without his appreciating it, a significant change had permeated his party. Theoretically it was still the party of the poor without a sectional bias. We shall see that it was fast making friends with at least one phase of capitalism and was drifting toward an alliance with a particular section.

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CHAPTER XXVI

THE FERMENT OF THE THIRTIES

(1) *The New Education*

WHILE Jackson was carrying through a political revolution, those undercurrents of thought and feeling which had their rise in the decade before him continued their work of transformation. The country was thinking with boldness and originality. It was also demanding more education and education that was less traditional. Which demand—if either—was the cause of the other does not matter. The growth of two new ideas in education characterized the thirties and was evidence of a restless craving in the American mind for the union of its theories with practical life.

One of these was the epoch-making idea that education should be offered by the state to all who desired it. A belief that some measure of education should be given as charity to those who could not pay for it was familiar in New England and New York. Quite different was this new demand for free education that should not be regarded as charity. It had been powerfully aided by the educational propaganda of the working men of Philadelphia (page 460). In 1834 Pennsylvania enacted a law providing for indiscriminate free education. It was instantly and violently attacked. The conservative elements of society were willing to accept a law "making provision for

the education of the poor gratis," but were unwilling to have such education stripped of its class stigma. The controversy was one more battle between Jacksonianism and conservatism. A brilliant young radical, Thaddeus Stevens, in a famous oration, "In defense of the Pennsylvania Free School System," persuaded the legislature to stand firm. Thereafter, free public schools rapidly became the order of the day throughout the Union.

Before long another step on the same road was taken, and in most places some measure of education became compulsory. A turning point in this direction was the Massachusetts law (1842) which forbade the employment in mills of children who had had no schooling.

A growing belief that education was a matter in which the whole community was concerned evoked the idea that each state should have a general policy with regard to its schools. The first state superintendent of schools was appointed by Maryland (1826), but it was in Massachusetts that the school system was first organized in a comprehensive way. A state board of education was created (1837). Its first secretary was Horace Mann.

The interest in European education which had enthralled Jefferson (page 453) had continued to grow. It had led to searching examination and criticism of American education. A latent public opinion was ready to support Mann when he pronounced the American school system obsolete and inefficient. He drew much inspiration from the schools of Prussia. The poor quality of the American teaching force was one of his chief objects of attack. He determined to revolutionize it. In the words of Professor Fish, he set out "to improve, or rather create, the teaching profession." The result was the first state-supported American normal school at Lexington, Massachusetts (1839).

Though Mann is the greatest schoolman of his generation in America, he owed much to Calvin E. Stowe, who had been sent abroad by the legislature of Ohio to make a study of European schools. It was Stowe who became infatuated with the Prussian system, and passed on his enthusiasm to Mann. This attention to German schools was the beginning of a shift of interest that marks the final close of the period when France was the chief external influence affecting American thought, and opens a period during which for the space of a generation or more German influence was very potent. In the

thirties Americans began to frequent German universities, which at that time, and for a considerable time thereafter, were hotbeds of revolutionary propaganda. Characteristically, the Americans brought home from their German experience only such things as seemed to justify their own tendencies. These were the mental freedom of the universities and the efficiency of the Prussian state.

German influence counted for much in the founding of the first state university of the present type. Naturally it arose in the west. The University of Michigan was begun as far back as 1819, but took a new direction under an act of 1837 when the whole system of public instruction in Michigan was reorganized on the Prussian plan. The next year the state of Ohio printed 10,000 copies of Stowe's report on the German schools. The famous report of Victor Cousin on those same schools, made to the French Minister of Public Instruction (1837), also became a classic in America. Expanding gradually as a result of all these influences, the University of Michigan twenty years later, when Henry P. Tappan was its president, took its historic place as the first American university to become fully developed as a school of research on the German model.

Educational institutions became the nurseries of political as well as speculative thought. A very striking illustration occurred in Ohio. At Cincinnati was a theological school, Lane Seminary, with conservative leanings; at the village of Oberlin, a co-educational academy (1833) that was more responsive to the prevailing radicalism of the west. The anti-slavery movement that derived from the missionary fervor of Mills and others had not died out with the Missouri controversy. It sprang into renewed vigor at the opening of the thirties. At Lane Seminary the conservative influences were hostile to this renewal by which once more the unity of American life was threatened. As a consequence three professors and thirty students, who had adopted a new term "abolitionist" seceded. They removed to Oberlin (1835). They were welcomed by the little institution, that quickly expanded into a powerful educational centre, Oberlin College. It became a rallying point of the new "abolition" movement and drew to itself influential western abolitionists as well as southern exiles who adopted this new political creed. Oberlin signalized its devotion to the abolition cause by opening its doors to negro students.

(2) The Abolition Movement

Though not more potent in eventual effects than other less spectacular ferments of the time, the abolition movement took on a dramatic quality that gave it immediate significance. Hitherto the efforts at emancipation had not treated slavery as a religious question. They were willing to consider at least the compensation of slaveholders in event of the freeing of their slaves. That was the mode of emancipation to which England was looking forward in connection with her West Indian colonies and which presently, under the lead of such men as Zachary Macaulay and Bishop Wilberforce, she brought about (1833). The new antislavery movement in America differed from its predecessors and from the English movement in treating slavery as a religious issue. The abolitionists denounced slaveholding as literally a crime, and took the position that compensation for slaves set free was analogous to compensation for stolen property taken from a thief.

The virtual founder of the movement was William Lloyd Garrison. On New Year's Day, 1831, he began publishing at Boston a newspaper called *The Liberator*, devoted wholly to the cause of abolition. A man of genius, he soon created a powerful following. His disciples organized the New England Anti-Slavery Society (1832), which gave birth to the American Anti-Slavery Society (1833). By the end of the decade there were local abolitionist societies that numbered 200 with a membership of near 200,000.

Though Garrison had been associated with Lundy (page 493), he was much fiercer and more radical. He was burningly eloquent for instant abolition, for no compensation, and for giving the negroes at once full citizenship. The Colonization Society (page 413) which was promoting the negro Republic of Liberia (page 413) was condemned by Garrison as sharing indirectly in the sin of slavery. Because the national Constitution tolerated the existence of slavery, Garrison later described it as "a covenant with death and an agreement with hell."

Coincidence has always played a strange part in history. There is no evidence that the opening of Garrison's crusade had any connection with a terrible event that appeared, in many minds, to be the direct result of it. Eight months after *The Liberator* made its ap-

pearance there was a slave insurrection in Virginia. It was organized and led by Nat Turner, a trusted slave, who was a preacher among his own people. The revolted slaves rushed from plantation to plantation, burning and slaying, in Southampton County. Many women and children were victims of the massacre. Though "Nat Turner's Rebellion" was swiftly stamped out by the state authorities, its horrible details were never forgotten in the south. Few southerners could be persuaded that it had not been inspired by the abolitionists. This belief grew in strength in after years while the language of the abolition propaganda became more vindictive, as when Garrison said that "wherever commenced, I cannot but wish success to all slave insurrections."

Quickly following the Southampton insurrection came a debate in the Virginia legislature which went over the entire field of the slavery dispute. Most of the speakers still held their traditional view that slavery was a misfortune fastened upon the southern states by accident and by the unwisdom of the past, but one from which they saw no escape except through colonization of the blacks in Africa. But there were dissenting voices. It was made evident that the circumstances of the past twenty-five years—dating back to the opening of the South Carolina ports and including the creation of the new southwestern slave market, and the social colonization of the southern west—had brought about a new phase of the defense of slavery. Many southerners were now prepared to call slavery a positive good, the "cornerstone of the republic," the best possible relation between blacks and whites. The discussion had arisen over a petition of Virginia Quakers praying for a plan of emancipation. The petition was at last dismissed through a vote in which its enemies had a majority of one (1831).

In a mental atmosphere such as existed in 1831 when for so many reasons the nation was at fever heat, the revival of the slavery controversy was a tragic event. Almost instantly it took on a class significance. Conservative people, alarmed over the stormy political and social discussions of the time, at once condemned the introduction of this new cause of sectional strife. Garrison was seized by a mob in Boston and dragged through the streets with a rope around his neck. Prudence Crandell, who had set up a school for negro girls at Canterbury, Connecticut (1833), was punished by social

ostracism and by imprisonment. Lane Seminary, as we have seen, broke in two, and Oberlin was founded. The most noted case of persecution occurred in Alton, Illinois, where Elijah P. Lovejoy published an abolition paper *The Observer*. He was murdered in a riot (1837).

Several very able men now took up the cudgels for slavery as a positive good. One evidence of how great was the change in America since the opening of the century was the fact that Thomas Cooper (page 324) had become an uncompromising defender of slavery. His influence may be traced in the writings of Thomas R. Dew, who, like other intellectuals of the time, had studied at a German university. A pamphlet of his (1832) which reviewed the great debate on slavery in the Virginia legislature, combined two arguments. As an economist he showed that slavery had become an immensely profitable institution; as a political scientist he repudiated the teachings of Jefferson, which once had been his social creed, and eloquently defended the idea that inequality formed the true basis of all human society. Dew became president of William and Mary College, which may be thought of as the counterweight to Oberlin.

Dew based his political science on the dictum: "The exclusive owners of property ever have been, ever will, and perhaps ever ought to be, the virtual rulers of mankind." Upon this basis William Harper, chancellor of the Supreme Court of South Carolina, founded *A Memoir of Slavery* in which, like Dew, he entirely repudiated the Jeffersonian tradition. "Is it not palpably nearer the truth to say that no man was ever born free and that no two men were ever born equal, than to say that all men are born free and equal?" He proceeded to advocate what amounted to a caste system with uneducated slaves at the bottom and a highly cultivated ruling class at the top. Most significant of all was the change of front of Calhoun who, throwing overboard the Jeffersonianism he had once believed, asserted (1837) that "there never has yet existed a wealthy and civilized society in which one part of the community did not in point of fact live on the labor of the other."

A practical evidence of this wave of reactionary sentiment was a general increase in severity of the laws regulating the control of the blacks in southern states. A slave police known as "the patrol" had long existed in the south. Its business was to watch the highways

chiefly at night for the purpose of making sure that no slaves were off their plantations without warrant from their master. The activities of the patrol were increased in rigor. Slaves were forbidden to hold meetings unless white men were present; it became illegal for blacks to preach to their own people; and there was a general prohibition upon teaching them to read.

These severe measures gave fresh life to a secret institution known as the Underground Railway. Even before 1830 there were systematic attempts to help slaves to escape from bondage, cross the northern states, and take refuge in Canada. In the fury of the new day a numerous army of abolitionists co-operated in running off slaves, which they did so successfully, with such complete secrecy, that their operations were spoken of as if they took place underground. There were regular "stations" at the houses of discreet sympathizers, many of which were located in the south. Paid agents were "conductors" who went to and fro in the south, ostensibly in discharge of business, but in reality helping slaves to escape, and guiding them with infinite boldness from station to station on their way to freedom. Levi Coffin, called the president of the Underground Railroad, has told in his memoirs the career of John Fairfield, a conductor of southern birth, whose perilous adventures might have informed a novel by Dumas.

It was impossible, when the air was so heavily charged with emotion, for the abolition movement to keep out of politics. How it was brought into Congress by John Quincy Adams in his fight against Texas has been told (page 493). About the same time an effort was made to prevent the use of the mails for distributing abolition literature. Though Calhoun failed to obtain a law definitely excluding such literature from the mails, the Postmaster General, Amos Kendall, excused his subordinates from delivering abolitionist publications to the persons to whom they were addressed.

The abolitionists added to their modes of propaganda the sending of petitions to Congress praying for the extinction of slavery. At last the House became provoked and passed a resolution that all such petitions should be laid on the table without a reading (1836). John Quincy Adams was determined to preserve the right of petition. He doubtless enjoyed doing so, for he was now one of the most uncompromising of abolitionists. Day after day he would rise and

start to present a petition, only to be declared out of order by the Speaker. The "gag rule" under which Adams was silenced remained in force until 1844.

Near the close of the decade a small but portentous political party made its appearance. It was called the "Liberty party." Its members were all abolitionists. In the election of 1840 it could muster but a little over 7000 votes. But this was not a true measure of the strength of the movement that year. Many abolitionists were not ready to make their cause the sole basis of a political party.

Throughout this stormy decade international exchanges of opinion became more and more intimate. The abolitionists in particular established close relations with sympathizers abroad, especially in England. In 1840 American delegates attended the World's Anti-Slavery Convention in London.

No phase of this growing agitation over slavery was more significant than its effect upon those evangelical denominations that had felt the Second Awakening (page 404) in full force, and that had responded early in the century to the work of Mills. In all these denominations a reaction had come. Sectional interests and sectional alarms had invaded their councils. The earliest and perhaps the most acute of a new crop of dissensions occurred in the Methodist Church. The southern members, confronting the reaction in favor of slavery, were for evading the issue and leaving its solution entirely to politics. Conversely, most of the northern members were for reviving the original Methodist attitude (page 412) and putting a stigma on slaveholding. A crisis was reached when Bishop Andrew of Georgia married a lady who owned slaves (1844). A standing rule adopted at the height of the earlier controversy (1816) forbade a minister to hold slaves in any state where it was legal to emancipate them. The northern wing of the church now took the position that it was scandalous for the bishop even indirectly to be identified with slaveholding. In their General Conference the Methodists as a body formally suspended the bishop "from the exercise of his office so long as the impediment remains." The vote against him was almost strictly sectional, northerners forming a majority of the conference. The vote had been preceded by a sharp debate and threats of disunion if the bishop should be condemned. Almost immediately the southern members drew up a plan of separation, and the result was the estab-

lishment of a separate denomination, the Methodist Church South.

The Baptists quickly followed the example of the Methodists. With them the issue was the appointment of slaveholders as missionaries. A sectional vote in the Baptist General Convention, excluding slaveholders from missionary service, led promptly to the secession of southern members and the formation of the Southern Baptist Church.

The breaking of these great religious bodies profoundly impressed the southern imagination, and led southern leaders to say that the Union was splitting on the rock of northern domination.

(3) Communistic Experiments

When well-entrenched social institutions were so ruthlessly brought under fire it would have been strange if the general framework of society had escaped criticism. Very characteristic of the time was the rage for social reconstruction. The theories of the French communist, Charles Fourier, and of the Englishman, Robert Owen, were widely discussed. Owen, who came to America in the previous decade, had founded a community in accordance with his own views at New Harmony, Indiana (1824). Many new communities aimed to put communism of one sort or another into practice. At the end of the decade Emerson wrote to Carlyle: "We are a little wild here with projects of social reform; not a reading man but has a draft of a new community in his waistcoat pocket. I am gently mad myself."

The most notable of the American communistic experiments was the work of Owen. This remarkable man was a prosperous manufacturer. With Quaker support he established at New Lanark, in Scotland, a cotton mill, where, for the first time, in the words of Professor Charles Gide, were seen "short hours of labor in place of the old twelve or fifteen hours; an industrial settlement with workman's dwellings and community finance; the protection of female and child labor; such sanitary and hygienic arrangements as the knowledge of that day permitted; and wages on such a generous scale that during the cotton crisis, when the raw material could not be obtained from America and all the spinning mills in England and Scotland were closed down for more than three months, Owen continued to pay his workers their full wages."

Owen was what that day called a "free-thinker"—that is, not an orthodox Christian in theology—and soon broke with his Quaker friends. One of his purposes was the separation of education from church control—the establishment of purely secular education—and this alienated not only the Quakers but most people in England. Owen turned to America (1825).

He had been preceded by so-called "communists" of a different sort. Most of these were religious sectaries who wished to establish strange communities in semi-isolation from the world. One was quite the reverse. An obscure German congregation led by George Rapp had migrated to America and established a communal village at a place in Indiana which Rapp named Harmony. Their aim was to create "a centre of enlightened atheism." But the venture was not prosperous. At a time when Rapp was greatly in need of money Owen offered to buy his village outright. The offer was accepted. Rapp and his followers removed to Pennsylvania and founded a new village, Economy, which died a lingering death two generations later. Owen renamed the village he had bought, calling it New Harmony, and gave its settlers a constitution that was designed to create a model state.

The "communism" of New Harmony was far removed from what is known by that term today. Owen—like his French rival, Fourier—thought that modern life could be cured of its ills only by reinstating agriculture as the dominant pursuit; this must be done in small co-operative groups, twelve or sixteen hundred residents, occupying about 4000 acres of land; they were to be housed in one huge dwelling. The two reformers reached their goals by different roads and were not friendly. Fourier did not go the whole length of the communistic tendency, for while he advocated communism in labor he was willing to tolerate private ownership of capital. Owen, on the other hand, was boldly anti-capitalistic and denounced the whole system of industrial profit as vigorously as does any radical of today. He did not contemplate the use of force in the conversion of the world to communism. New Harmony was not a success as a communistic settlement. Owen returned to England and New Harmony gradually lost its original character, becoming merely a thrifty little town in Indiana.

Rapp and his followers were not typical in their religious belief.

Earlier emigrants had dreamed of a return to primitive Christianity; later ones held a multiplicity of views. Altogether some forty socialistic projects had a brief existence.

Mention should be made of at least two other communistic societies which did not appear until the next decade, but which doubtless owed their existence to the ferment of the thirties. One of these was the Oneida Community—the name being due to the location of its settlement, Oneida, New York. Its founder was John Humphrey Noyes, who founded also the sect of the “Perfectionists.” He taught his disciples that they had become incapable of sin and drew them together in the Oneida Community. The Perfectionists came near to being genuine communists so far as property was concerned. They added to their communism a singular practice known as “complex marriage”; if husband and wife became too devoted their marriage was annulled and each was required to choose a new mate. This was based on the idea that intense personal attachments were inconsistent with the welfare of the community as a whole. Eventually “complex marriage” was given up. The communistic features of the Oneida Community were obliterated (1881) by converting it into a stock company with the members of the community as shareholders.

The most famous, the most picturesque, and the least significant of the communistic settlements was the other of the two which appeared in the forties. The community of Brook Farm (1841) might be described as dilettante communism. In Hawthorne's *Blithedale Romance* we have a picture of the Brook Farm during the short period when it was the home of perhaps the most singular community that America has known. In the apt words of Professor S. T. Williams, “Here gathered for co-operative work men and women either Transcendentalists or in sympathy with this philosophy. They were restrained Fourierists, living in comradeship, drawing inspiration from nature, and wooing refinement and culture.”

All the dreamers who composed this little world of unreality, who thought they were finding the way to a recovered Golden Age, practicing simple living and high thinking at Brook Farm, were more or less talented. One at least was a genius—Hawthorne. To quote again from Professor Williams, “He was keenly sensitive of the aspirations and also to the little absurdities of his friends.”

A brilliant figure in Hawthorne's picture of Brook Farm is the woman called Zenobia. She is believed to be a disguised portrait of Margaret Fuller. A talented, versatile, peculiar person; a great figure in the eyes of her contemporaries; she became editor of a philosophical magazine *The Dial*, and was one of the first and most remarkable of American feminists.

All these experimental communities, whether strictly economic like New Harmony, or mainly cultural like Brook Farm, vanished in their time and left not a wrack behind. They are significant only as evidence that all America was so full of intemperate thinking, that it was very like a boiling pot.

(4) *The Transcendentalists*

Most of the thinkers and dreamers of this new day, if they were not reactionaries like Dew and Harper, were Transcendentalists. The movement may be traced largely to the new contact with Germany. Edward Everett came from the German universities and delivered lectures on his thrilling intellectual adventures (1820). He captivated young Americans. There followed a rapid growth of interest in the old philosophers, especially in such Germans as Kant and Novalis; in the Greeks pre-eminently Plato, and at least, at second hand in the great mystics of India. Coleridge, as much perhaps as any one author, was the guide of the young American philosophers in their search for truth, especially in their search among the Germans. Out of all this came a revival of pure thought that was distinctive of New England. "What, then," asks Professor Bliss Perry, "is the significance of the word Transcendental? Disregarding for the moment the technical development of this term as used by German and English philosophers, it meant for Emerson and his friends simply this: whatever transcends or goes beyond the experience of the senses. It stressed intuition rather than sensation, direct perception of ultimate truth rather than the processes of logic."

The chief figure among the Transcendentalists was Ralph Waldo Emerson. Beginning his career as a Unitarian minister he soon left the ministry and devoted his energies to writing and lecturing. In time his "Essays" became world famous.

But Emerson and his friends were not merely imitators. There was a note in all their writings—particularly in Emerson's—that is peculiarly American. In fact, it is doubtful whether their Transcendentalism, at bottom, did not spring from the prevailing American passion to escape the bondage of reality, and to believe that there were no limits to the possible victories of the human spirit over circumstance. It is significant that Emerson is the author of the famous saying, "America is opportunity." It is also significant that, at this same time the recently founded *North American Review* was ardently prophesying the appearance of a new literature that should be distinctively American. Both these tendencies, the transcendental mysticism and the American rebellion against the despotism of fact, were fused in the address that opened Emerson's great period. It was entitled *The American Scholar* and was delivered before Phi Beta Kappa at Harvard in 1837.

(5) *Two Sorts of Ferment in Literature*

Besides Emerson and the philosophers there was a new crop of literary men who were responsive to the currents of the time but whose transcendental bias was not so apparent. The greatest of these was the slowest in revealing himself. During the thirties Nathaniel Hawthorne wrote a number of admirable short stories; at the close of the decade he held a minor position in the Boston Custom House; all his great fame was still to seek.

An older man than Hawthorne but like him aloof from the passions of the hour was the historian, Prescott. The appearance of his *Ferdinand and Isabella* (1837) reminds one that the violent revolutionary forces were no more typical of the time than was that rich social life typified by men like Jackson's great enemy, Biddle. Prescott's choice of subject was symptomatic. Like Biddle he was, in a way, a citizen of the world, and his letters show a brilliantly wide circle of contacts. His later works, *The Conquest of Mexico* and *The Conquest of Peru*, show qualities of research and of style that place him high both in historiography and in literature.

It is too often assumed that a ferment of ideas, revolution, occurs only as the expression of destructive thought, of some form of liberation. Just as truly there may be a ferment of ideas of reconstruction, of reorganization, of what might be called the stabilization

of social values. So much attention has been given to the destructive ferment of the thirties that there is need of more attention to the stabilizing ferment. That is why the social exclusiveness of Biddle and the scholarly exclusiveness of Prescott are as truly shaping forces as Jackson and Garrison. There was the beginning of a new social emphasis, an insistence that human life as such was not the only thing to think about, that the quality of life, the distinction or lack of distinction in its social product, was an even greater thing. A striking coincidence is the appearance of such a point of view, about the same time north and south, in William Harper and Nicholas Biddle. The question whether the two manifestations have any roots in common is elusive. The fact of their coincidence is undeniable. Out of it, as we shall see, strange political results are to come. However we may account for it, a temper not unlike that of the old Federalists will again become a force in the land.

This temper should be thought of as the background of the mind of Jared Sparks. A leading Unitarian divine, a professor at Harvard and eventually its president, he was a liberal in theology though a conservative in politics. In the middle of the thirties he was publishing his monumental work, *The Writings of George Washington*, in ten large volumes. A revival of interest in Washington was symptomatic of a new conservatism that was, in the north at least, Federalism come to life again.

The Democrats—using the word both generally and specifically—also turned to history for the glorification of their own tradition. George Bancroft, who was destined to high place both as a politician and a scholar, began publishing his *History of the United States* (1834) about the time when Sparks began *The Writings*. During many years Bancroft labored upon his voluminous epic of the struggle of the Americans for independence. Years afterward, when he was Secretary of the Navy in a Democratic Cabinet (1845-1846), his historical work was still far from complete.

A gifted scholar and poet who dwelt in much the same mental world as Prescott and Sparks—though not exactly the same—was Longfellow. Urbane, romantic, he shared the imaginative interest in Europe of Biddle and Prescott. *Outre Mer*, his first published work (1833), was an account of his travels. As a poet he took his place with *Voices of the Night* (1839), though his best known

works, *Hiawatha* and *Evangeline*, were not written until much later. Longfellow gradually fell under the spell of abolition. In some of his later poems, such as *The Slave's Dream*, he idealized the negro bondman with a fine delicacy of transforming fancy. The opening of his mind to abolition influences was a prophecy of the breakup of the particular form of conservatism which reorganized classes and rebuilt a political party when Longfellow was young—a subject that will reappear in connection with the formation of the Whig party. That party was not destined to a long life but for a short time it held great power.

A contrast to Longfellow in almost every way was the true poet of abolition, Whittier. A hint of their difference is in the dissimilar titles—Longfellow's *Voices of the Night* and Whittier's *Voices of Freedom*. A pious Quaker, Whittier was opposed to slavery from boyhood. He had little of the ornate interests of the literary aristocrats of his time—of Biddle, and Prescott, and Longfellow—and was preoccupied with religion and liberty. His verse was direct, simple, stirring. He had more gift for the ballad than for the lyric; more for the lyric than for the elegy or the sonnet. Whenever he touched the theme of slavery his verse became charged with feeling. He lived to chant ardently the deeds of the militant abolitionists of a later time.

(6) *The Rise of the Masses*

Whittier was also a poet of the poor. In him the cause of the slave was but one item in the cause of the oppressed, the world over. He included the underpaid workingman in his vision of the oppressed. In America during the thirties the workingmen did not make any very conspicuous gains and in some respects even lost ground. A New York decision pronounced strikes illegal. A period of hard times which embraced the closing years of the decade, when demand for labor temporarily decreased, made it hopeless for the workingmen to fight the matter out.

Their efforts for reform were centred upon shortening the hours of work. In comparison with the hours previously required, ten seemed a short day. An event in the history of labor was the action of the federal government making ten hours a day's work for its operatives (1838).

Just as the decade closed, the workingmen took heart again because of a decision by Chief Justice Shaw of Massachusetts. The ban upon strikes was removed; Shaw did not "perceive that it is criminal for men to agree together to exercise their own acknowledged rights in such a manner as best to subserve their own interests." The law of conspiracy (page 465) was modified.

The laboring classes were practically enfranchised because of the virtual manhood suffrage established in the previous decade (page 461). But there still remained the question of property qualifications for office. Though never large, the property qualification in 1830 put the office of governor, in a number of states, beyond the reach of workingmen. The qualification had generally disappeared before 1840, though it lingered in North Carolina nearly twenty years longer.

The last serious conflict over suffrage was an uprising in Rhode Island led by Thomas W. Dorr. The colonial charter which was still in force limited suffrage to the freeholders. A large population of mill workers who did not own their houses were without the vote. Dorr organized the discontented work people, who drew up a "People's Constitution," went through the form of a popular election, and as they clearly outnumbered their enemies, proclaimed their constitution binding upon the state. At another election they chose Dorr as governor (May, 1842).

All this, whether right or wrong ethically, was plainly illegal. The other governor, elected in the usual way, called out the militia and prepared for civil war. Dorr's followers lost heart; they abandoned him; he was captured and sentenced to life imprisonment. But the victorious conservatives had learned a lesson. A liberal constitution was substituted for the old charter, and Dorr was pardoned. His "rebellion" may be regarded as the real close of the old-time direct connection between property and the suffrage in America. In the few states that retained for a while longer the property qualification local conditions deprived it of significance. Fifty years were to pass before there was a revival of the question whether the poor were truly allowed to participate in government. When the question came back, it was in wholly new forms and dealt with indirect ways of restricting the ballot.

(7) Enfranchisement of Women

Though labor accomplished little in this fermenting age, its troubles led to one marked innovation. Women began to express themselves in the field of labor agitation. When the mill girls of Dover, New Hampshire, got up courage to have a strike of their own (1829) the country stared in amazement. Even greater was the astonishment of the conservative classes when the women of Lowell went on strike (1836) and organized a Factory Girls' Association that presently had 2500 members. They protested against the management of mill boarding-houses which were controlled by the mill owners. In the true tone of the Bancroft wing of the society of that day, they proclaimed that "As our fathers resisted unto blood the lordly avarice of the British ministry, so we, their daughters, never will wear the yoke that has been prepared for us."

From this time forward, without any waning of their interest, American working women toiled side by side with the men advancing the cause of labor. Their activity reflected and stimulated a general movement, permeating all classes of society, and aiming to give women a new legal status. In point of fact, American women from the beginning were an extraordinarily influential portion of society. Circumstance, in New England, where so many of the men spent so much of their time at sea; in the south, where the domestic side of the great plantation made the mistress an executive who must solve many problems; on the frontier, where self-preservation divided the difficulties of life about equally between husband and wife: circumstance had made the woman practically the partner of the man. Added to all this was a peculiarly romantic attitude toward women which was so real that foreign travellers were quick to observe it. Nevertheless, old laws, survivals of a different form of society, remained on statute books. Married women had no legal control over their property or their children. Hardly any one thought of investing them with the suffrage.

The challenging temper of the thirties began the movement for legal equality of men and women. That talented Margaret Fuller, whose strange image glows in Hawthorne's account of Brook Farm, was one of the first of the "new" women. Other workers for a new freedom were the brilliant Scotch woman Frances Wright, who came

to America in much the same spirit in which Priestley and Cooper came a generation earlier. Eight women were included in the American delegation to the World's Anti-Slavery Convention. Two of them became famous—Lucretia Mott, one of the great humanitarians of her day, a leader in many forms of social service, and Elizabeth Cady Stanton, who not many years later became a champion of women's suffrage.

Though these reforming women were of course interested in co-education, they looked with kindling eyes on certain new proposals that aimed to create higher schools and colleges for women alone. Alabama claims to have led the way by passing an act (1820) authorizing a branch of the State University for "female education." But the law was not carried out, and as a result another southern state, Mississippi, disputes Alabama's claim. Elizabeth Academy, at Old Washington, Mississippi, was chartered as a college (1820), and offered college training to women. But it is not plain that much was accomplished in these early years. It seems plain that the first college degree conferred upon a woman (1840) was granted by the Georgia Female College, which is now the Wesleyan Female College, at Macon.

There were several academies for women which figured with distinction in the fervent life of the thirties. The most noted of these was the Mount Holyoke Female Seminary (1837) which was founded by one of the greatest of American teachers, Mary Lyon. A noble figure, as truly the devotee of a new gospel as Saint Francis or John Wesley, she gave her life to her cause practically without pay. Filled by the enthusiasm of this remarkable period, she told her students, "Never teach the immortal mind for money. If money-making is your object, be milliners or dressmakers, but teaching is a sacred not a mercenary employment."

(8) Religious Agitation

Enthusiasm, and the instinct to mould society, were the keynotes of the time. They sounded in every phase of its life—no less in the proud resolution of the new conservatism than in the passionate self-devotion of all the new prophets of reform. From Garrison to William Harper, from Mary Lyon to Nicholas Biddle, from Bancroft and Whittier to Prescott and Hawthorne—what a gamut!

Emerson's smiling assertion that every one was trying to change everything was pretty nearly true. Extreme susceptibility to suggestion was, for a time at least, our American characteristic.

It made possible peculiar religious movements. At Elmira, New York, Joseph Smith, a strange, solitary young man, beheld visions. He asserted that he had found golden plates on which were engraved the tenets of a new religion. These plates disappeared, but another revelation came to Smith enabling him to enlarge his message as the *Book of Mormon* (1830). Thus began the Mormon Church, of which Smith was the prophet. In its origin Mormonism seems to have been a compound of the simple but fervent theology of the frontier, of the communistic tendency so general in the thirties, and of the cloudy imagery derived from Smith himself. Being practical as well as visionary, his Mormon community became almost at once a successful economic venture. Located in Ohio, it was moved to Missouri; thence, because of local hostility, to a deserted village in Illinois (1839) which was bought for next to nothing and named Nauvoo. A few years of peace were allowed the Mormons, and then local intolerance attacked them. The strange career of Smith was ended by his murder at the hands of a mob (1844). His power descended to Brigham Young, who led his people across the western American border and founded in the No-man's-land to the westward a church-state that was a striking experiment in socialism headed by an autocrat. For a time it was known as the state of Deseret.

Among other enthusiasms characteristic of the social creativeness of the time was a revival of Puritanism directed against the use of spirituous liquors. Society in the narrow sense had set an example of hard drinking (page 308). We have watched the tariff duel between the makers of whiskey in the west and the makers of rum in New England. A reaction in the twenties produced total-abstinence societies. The zeal of the missionary fervor and the impulse toward itineracy produced wandering propagandists of temperance who were widely successful. Washington Societies was the name given to the organizations they founded. Such were the remote beginnings of that prohibition movement which grew intermittently until, near a hundred years later, it produced the Eighteenth Amendment.

A singular character that stands forth in an age when singular characters were as thick as blackberries was Orestes Augustus

Brownson. He was by turns a Presbyterian, a Universalist, a Unitarian, and at last a somewhat unmanageable Roman Catholic. He was one of the first Americans of native stock outside Maryland and Louisiana to take active interest in the Church of Rome. He did not turn to Rome until after he had experimented in communism. Once an ardent Democrat, he ended by repudiating the sovereignty of the people.

The career of Brownson illustrates not only the religious confusion of his period, but also a significant culmination of the lustrous American development of toleration. A hundred years earlier the Roman Church, in English America, was barely permitted to exist. The long battle for religious freedom—toleration for enemies as well as for friends—that began with Roger Williams and Ann Hutchison, that produced the Tenth Amendment, culminated with the abolition by Massachusetts of the last law formally connecting church and state in this country.

The beginnings of the American expansion of the Church of Rome date back nearly to the Revolution, when the Roman clergy of the United States requested the Pope to organize them as a separate ecclesiastical province (1783). The next year John Carroll, of the historic Maryland family of that name, was appointed Prefect Apostolic of the Catholic Church in the United States. His headquarters were at Baltimore. The foundation of Georgetown College (1798) and the erection of the Cathedral of Baltimore were fruits of his labor. From the social point of view, Bishop Carroll's most significant achievement was the defeat of a movement to organize the church on the basis of language groups. Germans in Baltimore and Philadelphia were the advocates of this plan. In his resolute insistence on a single clerical organization of his own denomination for the entire country, Bishop Carroll was one of the founders of American nationalism.

The Church of Rome, like almost everything else of this period, has its conspicuous woman who shared in the new activities of the day. Like Brownson, Elizabeth Ann Seton was a convert. A sojourn in Italy was followed by her adoption of the Roman faith. Later she became the founder of the Sisters of Charity (1809); their first community was at Emmitsburg, Maryland.

A great extension of the activities of the Roman Church was

caused by the introduction of new elements into the complex of the American population. From the outbreak of the Revolution to about 1820 immigration was nearly if not quite negligible. In the twenties, still more in the thirties and later, immigration became a most important factor in all American problems. It especially affected the Roman Church. In 1789 there were some 30,000 professed Roman Catholics in the United States; today, about twenty million. This great increase is due very largely to immigration. A Roman Catholic scholar estimates that 85 per cent of the present members of his church in this country are immigrants or the descendants of immigrants who have come into America since 1820.

Though large numbers of the immigrants were Protestants from North Germany, Scandinavia, and the British Isles, the Catholic populations of South Germany and Ireland were extensively represented in the influx of foreigners that was pouring into the country in the thirties.

The welcome extended to all the world, both political and religious, that was characteristic of the early Republicans (page 318) was now in a way made conditional. Those immigrants who were imbued with monarchical traditions were so far removed in feeling from the passionate democracy of the time that a reaction against their admission was not unnatural. The extremists of democracy also took fright at the well-knit organization of the Roman hierarchy. American law required the appointment of trustees as holders of the property of a church. The place of these trustees, who were generally laymen, in the government of a church community involved the idea of democracy. A movement among the Catholic laity to vest the choice of the local priest in the individual congregation, acting through its trustees, had been successfully resisted by Bishop Carroll. "If ever such principles should become dominant," said he, "the unity and catholicity of our church would be at an end; and it would be formed into distinct and independent societies nearly in the same manner as the Congregational Presbyterians."

With the great influx of pious Catholics, especially from Ireland, and the appearance of an "Irish vote," this principle of centralization had its inevitable effect upon the enthusiasts for democracy. Once more was raised the old revolutionary cry that "kings and priests" were the menace of liberty. New industrial conditions tended to

mass the foreign vote in the cities, where it seemed likely the immigrants might easily gain control. The very factions that had been most concerned for manhood suffrage now became intent upon restrictions.

Organizations calling themselves Native Americans (1837) began to agitate for the exclusion of foreigners from political office and the extension of the period of naturalization to twenty-one years. With the exception of an occasional riot, including a rather serious one at Boston in 1837, nothing came of the Native American movement until years after. But it contributed its ominous share to the general ferment that was stirring up the country and flooding it with alarm.

(9) Immigration and Industry

There was an industrial as well as a religious and political side to the Native American movement. We have seen that the manufacturing east had opposed the exodus of its laboring population to the west. It is not unfair to say that the eastern manufacturers, to a considerable extent, found their salvation through the inpour of cheap labor during the thirties. Between 1820 and 1830 the immigration from Europe was 88,816 persons. The number leaped up in the next decade to 495,688.

The American workingman saw facing him a new peril. Just when he was making headway in his demand for shorter hours and higher wages he was subjected to competition with newly arrived work people whose standard of living was lower than his.

That year 1837 which saw the Boston riot and the formation of the Native American organizations is remembered generally because of the severe depression in business known as the panic of 1837. This was the time, it should be remembered, when the contraction of the labor market put a temporary check to the successes of the labor agitation. It marks also the first important reaction following a period of industrial expansion in which rather giddily the employers had exploited the new supply of cheap labor.

Manufactures had increased rapidly, in one form or another, as a consequence of the movement for a steadily rising tariff. The tariff reductions of 1832 did not make themselves felt until near the end of the decade, and more potently in the decade that followed.

From 1830 to 1840 American exports rose from a value of \$58,-527,878 to a value of \$111,660,561, only to diminish their rate of increase with the result that by 1850 they had fallen relatively to \$134,900,233.

Meanwhile a new field had developed for the investment of capital. The rage for canal building which characterized the twenties was succeeded by a rage for railway building. Baltimore, which had failed to become the terminus of a great commercial canal into the west, turned eagerly to the railroad as a possible means of recovering commercial leadership. At a time when, even in England, the newly invented steam locomotive was in its experimental stage, the Baltimore and Ohio Railroad was incorporated (1826). Its track was begun July 4, 1828; its first section, only thirteen miles long, was opened in 1830. But even then steam had not been adopted as motor power. Sails and horse power propelled the cars. By this time Peter Cooper had constructed a steam locomotive on the principle that had won success in England. A trial trip showed that his engine, *Tom Thumb* (1831), was capable of a speed of thirteen miles an hour. The Baltimore and Ohio promptly became a steam railway.

While the Maryland venture was slowly progressing the first successful American experiment with steam transportation occurred in South Carolina. An American-built locomotive, the *Best Friend of Charleston*, on the Charleston and Hamburg Railroad, made a speed of thirty miles an hour (1830).

The New York Central Railway derives from a charter of 1826, and put its first locomotive into operation in 1831. The pioneer New England railways and the beginnings of the great Pennsylvania system were in operation by the middle of the decade. At the close of the decade, 2818 miles of railroad had been laid down. In 1830 there had been but 32 miles.

Ambitious plans for great railway systems that were to penetrate the west, with tidewater terminals at New York, or Philadelphia, or Baltimore, or Charleston, or Mobile, took possession of the popular imagination. Practically a generation was to come and go before any of these were truly realized. But they helped to stimulate a recklessly speculative temper throughout the country.

The building of railroads, the expansion of manufactures, the

speculation in western land, all went on without regard to financial safety. Land speculation was particularly rash. The receipts from public-land sales, which were short of \$2,000,000 in 1830, had risen to \$20,000,000 in 1836. For all this rapid increase in American business much credit was necessary. European creditors, tempted by high rates of interest, placed a great deal of money in the United States. In many instances state governments subsidized internal improvements and issued for that purpose state currency not adequately backed by specie. The destruction of the Bank of the United States facilitated this reckless procedure.

The whole country was in a gambling mood, more or less hysterical; and then came a tragic failure of the harvest (1835), followed by the collapse of some great mercantile houses in England, reducing the demand for American cotton. Farmers could not pay their debts; merchants and speculators could not pay their obligations to the banks; the European creditors became alarmed and began calling in their loans. The result was the panic of 1837, when every bank in the country suspended specie payments. Four years of hard times ensued. The bank-note circulation that stood at \$149,000,000 in 1837 had shrunk to \$1,000,000 in 1841. In the latter year Congress passed a bankruptcy law under which 39,000 persons were permitted to cancel debts to the amount of \$441,000,000. Only very slowly and painfully did the country struggle back to prosperity.

(10) *The New Political Complex*

Surely it is plain that there has seldom been a social-political-religious criss-cross more bewildering than this period of conflicting enthusiasms that may be fairly called the "Ferment of the Thirties." But for those who lived in the midst of it the confusion was not altogether maddening. Two main characteristics stood forth and dominated all the conclusions that might be drawn.

First. It was a period which threatened revolution. Look where one might, one beheld organized interests, organized ideas, different from one's own and charged with emotional power. The wealthy conservative like Biddle looked askance at the devoted communists of New Harmony. The literary reformer, who thought that Whitier was justified in his preoccupation with human sorrow, felt dis-

dain for such scholars as Prescott, who turned aside from the bleeding present to lose themselves in the glories of the past. The Protestant Democrat was arming for a battle with the hierarchial Catholic, while the devout believer in monarchical conceptions of religion felt that the foundations of his faith were under fire. The entire body politic was shot through with the pains of contradiction, with a furious temper of dissent, that was aiming to express itself constructively.

Second. Hardly any one was animated consistently by a single predominant motive in politics. To illustrate: sectionalism was in the air, but nevertheless there were very few people who as yet were northerners altogether or southerners altogether. A northerner who believed in nationalism might also be so deeply afraid of the communists that he would cordially join hands with the southern anti-nationalist whenever issues arose involving the rights of property. The southerner who resented northern domination would have no hesitation in allying himself with those northerners, even if they were nationalists, who saw in the abolitionist propaganda a menace to social unity; the two might be found working together in practice to check abolition though their motives for doing so might be diametrically opposite.

The perception of these two prevailing conditions made a profound impression on a certain group of strong minds. They dreaded revolution—whether sectional, or class, or economic, or religious—and were eager to head it off. But they perceived that the great difficulty in the way of organizing a strong opposition to radical change was the multiplicity of interests in almost every mind. Their problem was to find some one standard around which it would be possible to rally many men of many minds in the effort to preserve the *status quo*, to prevent any one faction, or any one interest, from tearing the nation to pieces.

The solution which these men found was not a novel one and proved to be a temporary one. They aimed to submerge the various tendencies toward disintegration by gathering into one strong alliance all the propertied interests. A great political party frankly based upon the interests of property might, if it avoided commitments on every other issue, unite all the prosperous portions of all sections and thus prevent the growth of separate sectional feeling.

Such a party, if it could combine in a unified economic program the interests of the employer and the employee, might render impotent the social revolutionaries who wished to widen the breach between classes.

The men who undertook to create such a party were the same who had organized the opposition to Jackson. Beginning with scarcely any common bond except their desire to attain power, they felt their way among the complexities of his administration to the cautious conservatism which was expressed by Clay and Biddle in the struggle over the bank. At that time (1832) they were in half a mind to become as a party frank nationalists. But it was plain that by evading the issue of nationalism they could draw into their group a considerable part of the wealth of the south. They dropped the name National Republicans, by which they had been known in the elections of 1828 and 1832, and adopted the name of Whig (1834).

With great political skill the leaders of the new combination built up their following not through formal declarations of principle but through criticism of the Jackson party and through the selection of associates. There is such a thing as tone in politics as well as in personal relations. To give an impression of political tone, to make the public feel that a party like an individual has its own general attitude toward life, is a triumph of suggestion. At times it is quite as effective as a political platform. The Whigs had not succeeded in bringing about this subtle effect when Van Buren was named as the Jackson candidate in 1836. Four years later, though still evading every sort of dangerous commitment, they made such clever use of their political tone and of popular reaction after the panic of 1837 that they closed the decade with a sweeping Whig victory at the polls.

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CHAPTER XXVII

ON TO THE PACIFIC

(1) *Reorganization of Politics*

THE political party that issued from the ferment of the thirties was not merely the National Republicans under a new name. It used the name of "Whig"¹ in a presidential election for the first time in 1836. But that year it was more of an experiment than a party. Its name covered a negative coalition made up of all the enemies of Jackson. Though Clay was its chief architect, Webster was almost as important in its creation, while Calhoun and South Carolina temporarily co-operated with them, but refused to become permanent allies. In 1836 as in 1832 South Carolina threw away its electoral vote, giving it to an obscure candidate, W. P. Mangum, who was not the official choice of either of the party organizations. Van Buren received a handsome majority in the electoral college. But the popular vote gave him a majority of less than thirty thousand out of a total of a million and a half. The great crucial states of New York and Pennsylvania were still safely "Democratic"—by which name the Democratic Republican party is henceforth to be known.

Two events of Jackson's closing year had laid up trouble for his

¹ "Whig" had become associated in American parlance with "liberal" if not with "patriot"—a survival of the use of the term in the Revolution. In 1836 it had acquired no new connotation. No one as yet was afraid of it. For several years past it had been used loosely by many sorts of people who conceived of themselves as the prophets of political righteousness.

sucessor. The government's receipts exceeded its expenditures; a bill was passed and signed by the President distributing the surplus as loans to the states (June 23, 1836). It was assumed that the loans would never be paid back. They were to be made in 1837 in equal quarterly installments. All the surplus over \$5,000,000 was thus to be distributed. The first and second distributions were made, and the third had begun, when the panic of 1837 threw finances into confusion, led the government to retrench, and put an end to the distributions.

Other dangerous measures grew out of another wave of speculation that swept the country in the wake of the bank controversy. The government funds had been deposited in what were scornfully called "pet banks." There was a scramble among local institutions to share in the favors of the government. By 1836 there were eighty-nine of these pet banks, not all of which were sound.

Many other banks entered a mad competition to make profit for themselves through the passing of the Bank of the United States. Their notes deluged the west, where the new mania for speculation, particularly in land (page 519), was most keenly felt. Many of these banks issued notes that could not be redeemed in specie, and these notes were offered in payment for government land. Jackson became alarmed. He issued his Specie Circular (July 11, 1836), ordering the government land offices to take nothing but specie in payment for public land.¹

The effect of both these measures was felt early in 1837. The withdrawal of the surplus from the deposit banks reduced their resources and compelled them to call in their loans at a critical moment when conditions were almost ripe for panic (page 488). The Specie Circular caused the creditors of western banks to call upon them for gold or silver. The banks were unable to meet these demands. Coming, as they did, at a moment when over-

¹ "It was perceived that the receipts arising from the sales of public lands were increasing to an unprecedented amount. In effect, however, the receipts amounted to nothing more than credits in bank. The banks lent out their notes to speculators. They were paid to the receivers (for the government) and immediately returned to the banks, to be lent out again and again, being mere instruments to transfer to speculators the most valuable public lands, and pay the government by a credit on the books of the banks. . . . The spirit of expansion and speculation was not confined to the deposit banks, but pervaded the whole multitude of banks throughout the Union; and was giving rise to new institutions to aggravate the evil."—Jackson, Eighth Annual Message, December 5, 1836.

speculation had almost reached its limit (page 517), they were the straws that turned the scale and produced the panic of 1837.

So grave was the result that Van Buren called Congress in extra session in September. The government was now out of debt—the last of the great debt left over by the War of 1812 having been paid off in 1835—but nevertheless it was practically bankrupt. The surplus was gone. The sales of land had ceased. The panic had checked importations, and customs revenue had fallen temporarily to next to nothing.

By way of immediate relief to the government, Congress authorized the issue of \$10,000,000 in treasury notes; they were to be redeemed at the end of one year with interest at 6 per cent, and meanwhile were to serve as currency and would be received by the government for taxes, duties, and all other debts due the United States. The distribution of the surplus was stopped unconditionally.

But these measures were obviously incidental. The panic had given rise to a real issue. Once more the Whig leaders were enabled to press on toward a real realignment of parties based on actual social groups. Though Clay continued to be their titular leader, Webster now begins to equal if not to overshadow him. No one expressed more effectively the drift of Whig sentiment than Webster did in a famous speech at Niblo's Garden, New York (March 15, 1837). He was "opposed to the cession of the public lands to the states; to the collection of revenue beyond the just and reasonable wants of the government; in favor of protection to American labor and industry; against the annexation of Texas, the rapid advance of executive authority, and the specie circular; and in favor of a specie basis for our circulation, and for specie as a part of our circulation, so far as it may be practicable and convenient."

The Niblo's Garden speech was far more than a mere pronouncement on the problems of the hour. Like Jackson's bank message, it was a forecast of political tendency and brought in various matters—such as the annexation of Texas—which did not seem to have direct bearing on the present situation. The far-ranging vision of this great imagination saw how, eventually, these matters would become party problems. Bit by bit, we shall see his imaginative forecast justified by events.

Clay, a more practical and less profound mind, narrowed the

discussion at once to the immediate financial issue. He as well as almost all the Whigs—at least, all those who were really at one with himself and Webster—demanded the creation of another central bank, similar to the one which Jackson had destroyed. Upon this issue battle was joined between the opposition and the administration. It continued to be the burning question throughout Van Buren's term.

He refused to make any concessions. Instead, he proposed to take the whole matter of the government funds out of the hands of the banks altogether and to place it solely in the hands of the United States. The treasury at Washington was to be reinforced by sub-treasuries in various cities; in the vaults of this system of treasuries all the receipts of the government were to be stored until paid out to meet governmental expenses. This complete withdrawal of the government funds from the banking system of the country was severely condemned by all those classes that were intimately concerned with finance. The Sub-Treasury Bill was called "the divorce bill," because it divorced the government from the banking system. It divided the Democrats, one wing of whom sided with the Whigs against it. But the true Jacksonian Democrats were still the dominant political force in America, and in the last year of Van Buren's presidency the Sub-Treasury Bill became law (July 4, 1840).

(2) *The Whig Party*

Again, as in 1832, there seemed to be a chance to unite political elements that had among them very little in the way of a common factor. The narrow majority of Van Buren had been diminished by the general discontent. But the leaders of the new movement were not merely opportunists. Webster's Niblo's Garden speech was a real indication of tendency. Politics oscillate between occasions when specific measures are the vital matter and occasions when temper, irrespective of measures, is what counts. We cannot say that the temper of Webster—which was much the same as the temper of Clay, but more thoroughgoing—was, as yet, the guiding force in the Whig group. But it was soon to be. It might be described as the temper of conservation. Perhaps one might go so far as to call it a reaction against frontierism. At least, the eagerness to expand, to press forward toward new soil, which had hitherto been so large a part of the American mood, that was still to do great

things, began now to encounter its opposite. One other product of the "Ferment of the Thirties" was an impulse to turn back from expansion and to take thought upon organization, upon making the most of what we have, upon intensive economies, upon conservation. It is significant that the great states of New York and Pennsylvania both instituted geological surveys with a view to taking strict count of their resources in 1836.

In the popular mind, in 1840, all this was still vague. Even the Whig leaders were not ready to put it into definite words. Ideas mixed with interests in more or less unstable equilibrium is the usual formula of politics. In 1840 expansion and conservation were both overclouded by the nationalistic controversy, by emerging sectionalism, by tariff problems and monetary problems, and by the sudden apparition of the new fury against slaveholders. To evoke, out of this turmoil, a new party that should not be merely negative was not easy.

The party that came forth has troubled historians because too often they have tried to base it on a formulation of definite purpose. From that point of view it seems contradictory. But if conceived as pre-eminently a matter of temper it becomes intelligible. The political architects who built it up—first of all, Clay and Webster—had definite views themselves, but were too astute to formulate these views as the creed of the party. In their twenty years, 1836–1856, the Whigs held six national conventions, but only in three did they commit themselves to a platform.¹ Of these three, one (1844), though it dealt in rhetoric with sounding freedom, laid down but two principles of political action—sound money and protection; another (1852) reiterated the faith in protection and expressed what was later known as anti-imperialism, declaring that "our mission as a republic is not to propagate our opinions, or impose on other countries our form of government by artifice or force"; while the last Whig platform (1856) was mere words,

¹ The formal political platform was unknown before 1832. In that year was held at Washington a Young Men's National Republican Convention—called derisively "Clay's Infant School"—which endorsed Clay's candidacy and drew up the first political platform. It is printed in Stanwood, *History of the Presidency*, I, 158–159. The institution of the nominating convention and the institution of the platform developed together, though neither party in 1836 followed the example of the Young Men of 1832. In 1840 while the Whigs evaded a platform, the Democrats made an elaborate statement of principles. Ever since, with few exceptions, presidential candidates have stood on definite party platforms.

asserting the sanctity of the *status quo* created by the compromise of 1850, and denouncing sectionalism.

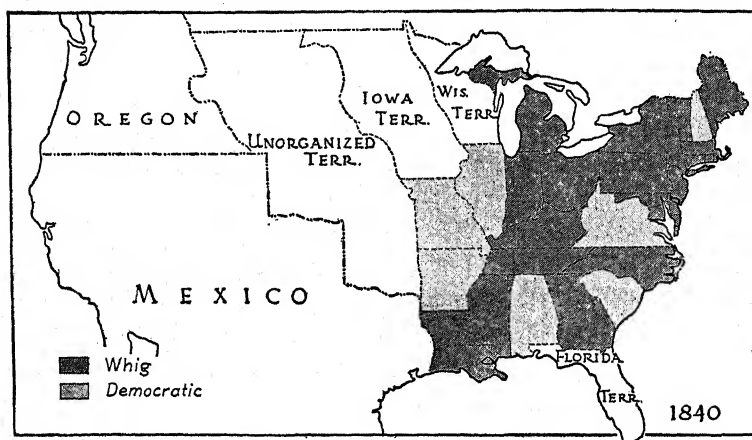
A party with such a history cannot be thought of in rigid terms. Flexibility was its keynote—but flexibility inside tolerably well-defined lines of social affiliation and economic temper. Very conspicuous was its fondness for trade. Herein lay a prime distinction between Democrats and Whigs. The Democrats were eager to be an agrarian party, to overrun the continent, to seize land and yet more land, and to be relatively indifferent to trade. The Whigs tended to be averse to expansion on land, and to seek ever commercial expansion through foreign trade.

In 1840 the avowed Whigs were a relatively small group who had no trouble forming a sort of "gentlemen's agreement" behind the silences of their convention. In the light of later events their purpose seems plain enough: to capture the floating discontent left over from the panic of 1837, and to administer the government in a cautious conservative temper that would draw to them all the prosperous classes. They appealed to romance by nominating for President a soldier dear to the west, General Harrison. His victory of Tippecanoe gave them a party cry. Though Harrison might be called a man of wealth, living in a beautiful country house on his Ohio estate, the Whigs stole the Democratic thunder by describing him as the "log-cabin candidate," the typical son of the frontier, the poor man's friend. They evaded the issue of nationalism by putting up for vice-president a State-rights anti-Jacksonian, John Tyler of Virginia. In the campaign they talked to different localities and different classes, in different ways, playing upon their prejudices, as opportunism dictated. A very furious and bitter campaign closed with the sweeping defeat of Van Buren, who was again the Democratic nominee.

A menacing detail of this election was the appearance of still another new party. The militant abolitionists had organized and had taken the name of "Liberty Men." They were able to cast but a little over 7000 votes, which were so distributed that they had no effect upon the choice of presidential electors. None the less this small vote was immensely significant. Slavery had become a political issue.

At the same time South Carolina made an end of its temporary

friendship for the Whigs. For the first time in twelve years it abandoned its isolation and gave its electoral vote to the official Democratic candidate. This was caused, in part, by three assertions in the Democratic platform: "that the federal government is one of limited powers . . . that justice and sound policy forbid the federal government to foster one branch of industry to the detriment of another . . . that Congress has no power under the Constitution to interfere with or control the domestic institutions of the several



ELECTION MAP OF 1840

states, and that such states are the sole and proper judges of everything appertaining to their own affairs not prohibited by the Constitution; that all efforts of the Abolitionists or others made to induce Congress to interfere with the questions of slavery . . . are calculated to lead to the most alarming and dangerous consequences. . . ."

These pronouncements upon slavery, coming soon after the attempt to close the mails to abolitionist propaganda (page 502), formed a Democratic pledge to look after southern interests. On the surface the Democratic position seemed to be startlingly definite when compared with the silences of the Whigs. In reality, the contrast was not as great as it seemed. Both parties made a sectional appeal—the Democrats to the south, the Whigs to the west. Neither was entirely successful. Many southerners refused to believe that

slavery even now was in politics; they accepted the Whig view that the need of the moment was a stable conservative party based on the propertied classes. Six southern states—Maryland, North Carolina, Georgia, Louisiana, Kentucky, and Tennessee—returned Whig majorities. At the same time New York and Pennsylvania, so long the stronghold of the Democrats, deserted Van Buren and gave their electoral votes to Harrison. On the other hand, though most of the west was for Harrison the great state of Illinois went Democratic.

There could be no doubt that American politics were entering a new chapter in which many motives would so interweave as to make the result at times bewildering. Whether class interests, or sectional interests, or expansion, or conservatism, or nationalism, or slavery, was to take the lead as an issue, during the next few years, nobody could foresee.

(3) The Whig Dissension

The irony of the unforeseen chance is forever playing havoc in political schemes. President Harrison caught a severe cold at his inauguration; pneumonia developed; and within a month he was dead. He had called Congress in extra session. When it assembled, a very different man, one whom the Whigs had left out of their calculations, was President.

Clay, as leader of the Senate, had expected to dominate the administration. Harrison had made Webster Secretary of State. Tyler retained Harrison's Cabinet in office. At the opening of Congress the Whig leaders did not yet appreciate that the man whom they had made vice-president merely to sidetrack the nationalistic controversy and to catch votes disagreed with them on various points and had a will of his own.

The Whig strategy involved two main purposes. They must hold the great popular vote that had come their way in the west, and they must carry out their plan of appealing to the propertied classes everywhere. They would accomplish this double purpose by giving the west new land laws, and by restoring confidence in the propertied classes through the re-establishment of the old banking system.

The old land laws (page 457) contradicted the growing feeling

in the west "that any price for the land was an imposition and that the (land) auction was an affront."¹ Easterners tended to approve any law that would check the western drift which was drawing population away from the industrial centres. Southerners, on the other hand, were becoming more and more fearful that a populous north would compel economic legislation to suit itself, and were quite willing to have the drift continue. Again the jumble of sectional and class motives so characteristic of the time. Clay, ever since Benton had propounded the gospel of free land, had been trying to work out a land system that was more eastern than western, more on the side of the industrialists than the frontiersmen. His so-called "distribution" policy looked toward keeping a price on public land but advocated distributing the proceeds of land sales equally among the states. Benton, for the westerners, had steadily opposed this by advocating "pre-emption"—which meant granting to the individual settler who chose to take up land the privilege of buying it at minimum price in advance of the public auction. The privilege had been granted on special occasions. Easterners called the pre-emptor a "squatter" and echoed the ideas of a land commissioner who said that "the pre-emption privilege may be considered as little else than a mere benevolence enabling the adventurer to appropriate to himself the choicest lands, most valuable mill sites, and the localities of towns, at a vast cost to the public."

The Whigs attempted to ride two horses by agreeing to a compromise bill that incorporated Clay's plan for distribution of proceeds of land sales, but at the same time placated Benton and the west by granting the right of pre-emption (1841). The distribution was short-lived. Southerners had forced into the law a condition that distribution should cease if there were a return to high tariff. The tariff was raised the next year and that was the end of distribution. But pre-emption remained the law of the land.

The financial problem proved a stumbling block. The first move toward its solution was the abolition of the sub-treasury. On this point Clay and Tyler were able to agree. But when the Whigs advanced to their next step the irony of chance became apparent. Tyler, anti-Jacksonian though he had been, and Whig though he was now supposed to be, held old-school Democratic-Republican

¹ Paxson, *History of the American Frontier*, 388.

views upon finance. The central Whig measure, a bill that practically would have restored the Bank of the United States, was promptly vetoed. A second bill slightly different, which had been drawn up in the hope of placating the President, met the same fate. These vetoes were a defiance of Clay. His anger was instantaneous and unbounded. The other Whig leaders with the exception of Webster stood by Clay. The members of the Cabinet—again excepting Webster—resigned (September 11, 1841). The same day a caucus of the Whig members of Congress issued a formal declaration that "all political connection between them and John Tyler was at an end."

(4) Webster as Secretary of State

Daniel Webster now becomes the centre of attention. American history does not contain a more impressive figure. A huge, massive man, with deep cut features, a richly swarthy skin, a mouth of masterful determination, eyes dark, unfathomable, with slow deep fires aflame at the back of them, he was probably the greatest lawyer of his day and one of its greatest orators. His presence was overpowering. He seemed to be enveloped in an atmosphere of deliberate power—physical, mental, emotional. As an orator, no less than as a character, he was the opposite of the florid and magnetic Clay. His cool convincingness in debate was proverbial. It is said that his mere statement of a case in court was more convincing than most men's arguments.

Whether Webster was glad of this opportunity to break with Clay, whether his real reason for continuing as Secretary of State was a desire to wrest from Clay the leadership of the party, are interesting speculations that are undetermined. He gave as his reasons the necessity to carry through certain negotiations he had begun with England, and an unwillingness to embarrass the President by a sudden resignation without giving him time to deliberate on a successor.

Webster remained in office until May, 1843. During that time four matters of importance engrossed the thought of the administration. One was financial, the other three concerned foreign affairs.

The financial matter was the tariff of 1842. The tariff compromise

that was part of the nullification episode, which was to run ten years (page 484), came to an end. A new tariff was proposed which returned to the principle of protection and put the duties on most articles about where they had been previous to the compromise in 1832. But there was no solidarity in the factions in Congress; on this measure tariff men of all factions voted together (August 30, 1842) and Tyler accepted their bill.

Of the three matters that dealt with foreign affairs, the first to be settled concerned our northeastern boundary. The Treaty of 1783 had been based on inaccurate maps. Its provisions consequently were ambiguous. The British and American Governments under this treaty drew the northern boundary of Maine in such different ways that no less than 12,000 square miles of territory were in dispute. Through the disputed region ran the Aroostook River, along whose banks the people of Maine for several years before 1841 had been making settlements. At the same time Canadians were pushing into the Aroostook forests and cutting timber. The authorities of Maine drove them out (1838) and appealed to the United States for help. There was talk of war with England, and Congress authorized raising an army of 50,000 men to enforce the American claim.

When Webster took up the subject he had behind him an angry nation distrustful of England. The anti-English feeling was especially strong in the south, and in the party that was bidding for southern support, because of England's pronounced anti-slavery tendencies (page 499). Having abolished slavery, England was now seeking to abolish the slave trade. The plan which she proposed roused great opposition in the United States, some of the most devoted abolitionists being strongly against it. England asked other nations to permit her navy to police the seas in pursuit of slave ships, and for that purpose to exercise in time of peace the right of search now generally conceded in time of war. All the traditional prejudices of the Americans were aroused by this proposal. They were not quieted when England concluded the Quintuple Treaty with France, Russia, Prussia, and Austria, under which these powers adopted a uniform policy toward the slave trade, including right of search. The British premier, Lord Aberdeen, followed up this treaty by sending to the United States as special envoy, Alexander, Lord

Ashburton, whose double purpose was to settle the Maine boundary and negotiate a treaty upon the slave trade.

The result, many months later, was the Webster-Ashburton Treaty (August 9, 1842), which compromised both issues. The United States secured the present boundary of Maine, including something over 7000 square miles of the 12,000 in dispute. The peace-time right of search was not conceded, but it was agreed that England and America should maintain a joint squadron in African waters for the apprehension of slavers.

Second in time of the three foreign problems was a complication with China which produced the now-famous idea of "extraterritoriality." Hitherto the colony of Americans at Canton (page 463) had had no legal protection. The Chinese Imperial Government regarded them as merely tolerated intruders, while the American Government, having no treaty with China, was powerless to protect them. Long bickerings over the opium trade led to the Anglo-Chinese War (1839-1841), which was followed by the Treaty of Nanking (1842) and a supplementary treaty (1843) defining British rights in China.

When the war broke out the Americans at Canton felt that they could not longer get on without protection by the United States. They sent home a memorial praying for governmental assistance. A squadron under Commander Kearny was ordered to Chinese waters (1840). On his arrival in the East, Kearny found that the Treaty of Nanking had opened to British trade five Chinese ports. Previous to that treaty Canton was the only Chinese port where Westerners were allowed to transact business. Kearny obtained a promise from the Chinese Government to extend to Americans all the privileges accorded to the British. Later in the same year (1843), in the supplementary British treaty, China herself opened the five "treaty ports" to all nations on equal terms. This was the beginning of that "open door" in China of which in after time so much was to be said.

Meanwhile, in America the Chinese situation was eagerly watched. In this problem of the Oriental trade all the Whig sympathies were easily enlisted. Webster, who had begun as a Federalist, stood for that wing of the new party which came pretty close to being a revival of Federalism. The traditions of the China trade united in his mind with the new reluctance to go on acquiring land, and with

the revival of the desire to emphasize trade as the road to prosperity. He held consultations with merchants interested in China, and presently dispatched Caleb Cushing (1843) on a mission to China for the purpose of negotiating a formal treaty. It was this mission that not only made sure the concessions granted to Kearny, but also put into treaty form the doctrine of extraterritoriality—the privilege of foreigners to reside in China without becoming subject to Chinese law and remaining under the legal jurisdiction of their own country. The idea was implied in the British treaties, but it was plainly stated in the Treaty of Wanghia negotiated by Cushing in July, 1844.

While his Chinese policy expressed the positive side of Webster's statesmanship, the last of the three foreign problems expressed the negative side. The forecast in the Niblo's Garden speech began to be fulfilled. Webster was unconditionally opposed to the annexation of Texas. On this subject he found Tyler as far removed from him as from Clay. Their disagreement over Texas began when Texas, in the spring of 1842 made an appeal to the United States for admission to the Union. Tyler was favorable, Webster strongly opposed. From that moment, amidst the various other complications of the hour, while the Chinese mission was being prepared, the President and the secretary drew steadily apart. Both were strong-willed men and neither would compromise. At the same time the southerners generally and all the Democrats drew closer to Tyler. Though he still maintained that he was the true Whig and that Webster was an apostate, he turned to the Democrats for support. Tacitly, practically, he joined their party.

The uncompromising Webster would not accept Tyler's policy and withdrew from office (May 9, 1843). Tyler appointed in his place a South Carolina Whig, Hugh S. Legare, who, however, was soon succeeded (July 24, 1843) by A. P. Upshur of Virginia, a Whig who, like the President, had gone over to the Democrats, and he, upon his sudden death, was succeeded by none other than Calhoun (March 6, 1844).

Whatever might be the theories and the social and sectional affiliations of the two parties, they were at last squarely opposed on a practical question—Shall we or shall we not take Texas?

(5) The Western Barrier to Land Expansion

Those Democrats who in 1843 looked westward, a land-hunger in their hearts, were not all indifferent to the sort of expansion that Webster advocated. With them it was secondary to their traditional enthusiasm for mastering the continent, for giving land to the landless. But they also—or, at least a large proportion of them—had caught the vision of Asia. The Pacific, in their imagination—though less vividly than in Webster's—gleamed far off, the mysterious pathway to untold wealth. They faced westward, eager to advance to the Pacific, eager to pass over its blue waters to they knew not what.

In the restless gaze of all these land expansionists there rose before them, along the Western horizon, a vast irregular barrier crossing the continent from southeast to northwest, from the Gulf of Mexico to Puget Sound.

This barrier was not physical but political. It was in three parts. On the borders of the Gulf lay Texas, stretching far inland, perhaps to the Rocky Mountains. At the other extremity of the barrier lay the Oregon country, indefinitely bounded but certainly including the valley of the Columbia River. Connecting the two, an immense unexplored land of dreams, was California.

Most prominent of the three, in the minds of most Americans, that year was Texas. Pretty nearly every one had taken sides or was getting ready to take sides for or against its admission. The question had given a sharper edge to the slavery dispute and had revived sectional feeling. All the abolitionists, led by J. Q. Adams, were bitter opponents of the annexation of Texas. On the other hand, almost all the southerners, whether friends or enemies of slavery—and many southerners were still hostile to slavery—wanted Texas as a means of sectional self-defense. The north had received most of the immigration that had poured into the country since 1830 (page 517); its numbers were increasing rapidly; already it could outvote the south in the House of Representatives and in the Electoral College. If Texas could be added to the south a long step would be taken toward righting the balance. Furthermore, England had just concluded a treaty with Texas. Many northerners and westerners who as yet did not have the sectional consciousness that

the south had, wanted to seize Texas before England had a chance to do so. The feverish distrust of England that had rung out so ominously over the Maine boundary had not passed away.

The belief that England was an imperialistic ogre seeking to devour the world found further expression in connection with the middle portion of the barrier. Already Americans were moving into California. A peaceful penetration had begun, the same sort of thing that had colonized West Florida while it was still under Spanish rule, and had colonized Texas under Mexican rule. It can hardly be said that in 1843 any considerable number of Americans had made up their minds to seize California. But many believed that England or France was aiming to do so. Whatever they wanted to do themselves, they were loud in their assertion that no European power should establish herself at San Francisco Bay. That any strong nation could take California if it pleased, few people, if any, doubted. Though theoretically a part of the Mexican Republic it was almost an empty country, with only here and there a handful of settlers. Some of these settlements, like the one at Sutters Fort in the Sacramento valley, were polyglot. It took its name from a Swiss, Sutter, a picturesque adventurer who narrowly missed greatness. He named the surrounding country New Helvetia, and welcomed to his settlement every bold American who dared to make his way across the high Sierras and down into the Sacramento valley. The Mexican governors of California regarded Sutter with anxious suspicion. Said a British traveller, Sir George Simpson: California is a derelict on the sea of international politics, "to be picked up by any adventurer who chose to carry it into the port of a strong and stable government."

In the remaining portion of the barrier there was a third Anglo-American complication. The joint occupancy of Oregon (page 427) had led to much bickering between rival fur companies—the powerful Hudson Bay Company on one side, the American Fur Company on the other. About 1840 it seemed as if the Hudson Bay Company were the real rulers of the northwest. Their various forts were the main trading points and it was mainly their influence that maintained such order as there was among the Indian tribes. Their headquarters were at Fort Vancouver, on the Columbia River, where Doctor John McLoughlin, agent of the "great company," ruled as a benevo-

lent despot, the wise and kindly friend of Canadian, Englishman, American, and Indian.

The "Ferment of the Thirties" extended to these remote places, and all up and down the western frontier there was a surge of restless energy. A steady infiltration of Americans established lonely settlements in the disputed country. First came the fur traders, sometimes as servants of the American Fur Company, sometimes as solitary hunters. A famous name in pioneer history is that of Jim Bridger, who was one of the boldest of "the adventurers of Oregon." Next came the missionaries, sent out chiefly by the American Board (page 405) to convert the Indians. Doctor Marcus Whitman is the most conspicuous of these. Like the traders the missionaries established isolated little settlements around which Indian converts were gathered and where they were taught agriculture as well as religion. Lastly came the real settlers, who took up land and organized themselves into little self-governing communities—much as the Pilgrims did at Plymouth two hundred years before, as innumerable Americans had done in so many conflicts with the wilderness.

In the thirties and forties there was no spot in America more interesting than Independence, Missouri, which is known today as Kansas City. Easily reached from the east by road and steamboat, Independence was the starting point of two great trails, both of which have become immortal among the world's historic highways. To the southwest the Santa Fé trail led through open country and ancient Indian settlements to Mexico (page 548). To the northwest the equally famous Oregon trail followed the valley of the Platte River to South Pass in the Rocky Mountains—the main gateway of the Pacific littoral—and just over the divide split in two; the Oregon trail proper went on into the valley of the Snake River, followed it to the Columbia, which it descended to Fort Vancouver; a branch, the California trail, turned south around the Great Salt Lake, reached the Humboldt River, and continued southwest to Sutters Fort.

No caravan of the Arabian Nights makes more of an appeal to the intelligent imagination than do the long processions of horsemen and covered wagons that toiled slowly over the Oregon trail. They formed one more application of the democracy of the time. Purely private ventures, their people had to govern themselves, as well as

to protect themselves, while they passed painfully through desolate regions, of which little was known, where Indian hostility was the order of the day. Again the American instinct for government was equal to the occasion. The caravan was a little republic ruled by a "captain" elected by general vote and supported by a council similarly chosen.

(6) The Annexation of Texas

At the opening of 1844 it was generally assumed that Clay and Van Buren would be the favorites in their respective parties for the presidential nomination. Tyler, though more in sympathy with the Democrats than the Whigs, with Calhoun—now an acknowledged Democratic leader—as secretary of state, was hated in the party he had repudiated, and had not attained popularity in the party he had espoused. Clay and Van Buren felt themselves secure; each at the same moment pondered what to do about expansion. Each reasoned in the same way. Both failed to perceive that the western movement represented a powerful drift of sentiment and that the determination to go to the Pacific was a real thing. Both concluded also that the excited proslavery men were the only ones who took an active interest in Texas. Both decided to put the Texas question aside, to ignore Oregon, and to make the campaign on other issues.

While they were debating the matter with themselves Tyler took them by surprise. At his direction Calhoun negotiated a treaty with representatives of Texas (April 12) providing for annexation to the United States. It was sent to the Senate April 22, 1844.

Each candidate felt that he must at once define his position. By odd chance they did so on the same day. What is known as Clay's "Raleigh" letter—because written during a visit to Raleigh—and also a letter from Van Buren, appeared in the newspapers of April 27. For practical purposes they were identical: annexation of Texas meant war with Mexico, and the game wasn't worth the candle.

Four days later the Whigs held their national convention. With Texas out of the question—as they fondly believed it was—they were confident they could sweep the country. Clay was nominated by acclamation.

They had made the same mistake that the candidates had made. By assuming that there was no reality in the clamor for land expan-

sion they had given their enemies a great chance. Four weeks later the Democrats met in national convention. A group of the sort that in after time would be called "insurgents" immediately repudiated the leadership of Van Buren. They demanded an unconditional pledge for the annexation of Texas and the "reoccupation" of Oregon. A hot fight ended with insurgent victory and the nomination of a western southerner, James K. Polk of Tennessee.

The Whigs had been outgeneralled at the start. They had no choice but to accept battle and to make the best of it. The Whig Senate rejected the Texas Treaty (June 8, 1844).

Few campaigns have been more furious. A Democratic watchword was "fifty-four forty or fight—in other words, they demanded all the Oregon country up to its northern boundary." In the course of the campaign there were threats of secession that had a sterner ring to them than any which had yet been heard. A new leader stepped into prominence. This was R. B. Rhett of South Carolina. He boldly announced himself in favor of the dissolution of the Union and the formation of a southern confederacy that should include Texas. A great meeting held at Blufton, where Rhett made a speech that may be counted the opening of his national career, was an ominous forecast of what he was himself to accomplish sixteen years later when he led his state into secession.

Clay now did something that has generally been regarded as an ordinary piece of political hedging, as a desperate last attempt to capture votes. Perhaps it was. But there is a possibility that his motive was not purely selfish, that he was honestly alarmed, that his real aim was to quiet the secession excitement and save the Union. Whichever motive guided him, he practically terminated his career as leader of his party when he wrote a letter withdrawing from the position he had taken in April. He now said that he would approve the annexation of Texas if it could be brought about "without dishonor, without war, with the common consent of the Union, on just and equal terms."

Whether acting nobly or selfishly, he had killed his chances. Polk was elected. The south and the west were enthusiastically behind him; New England was against him; the middle states were divided.

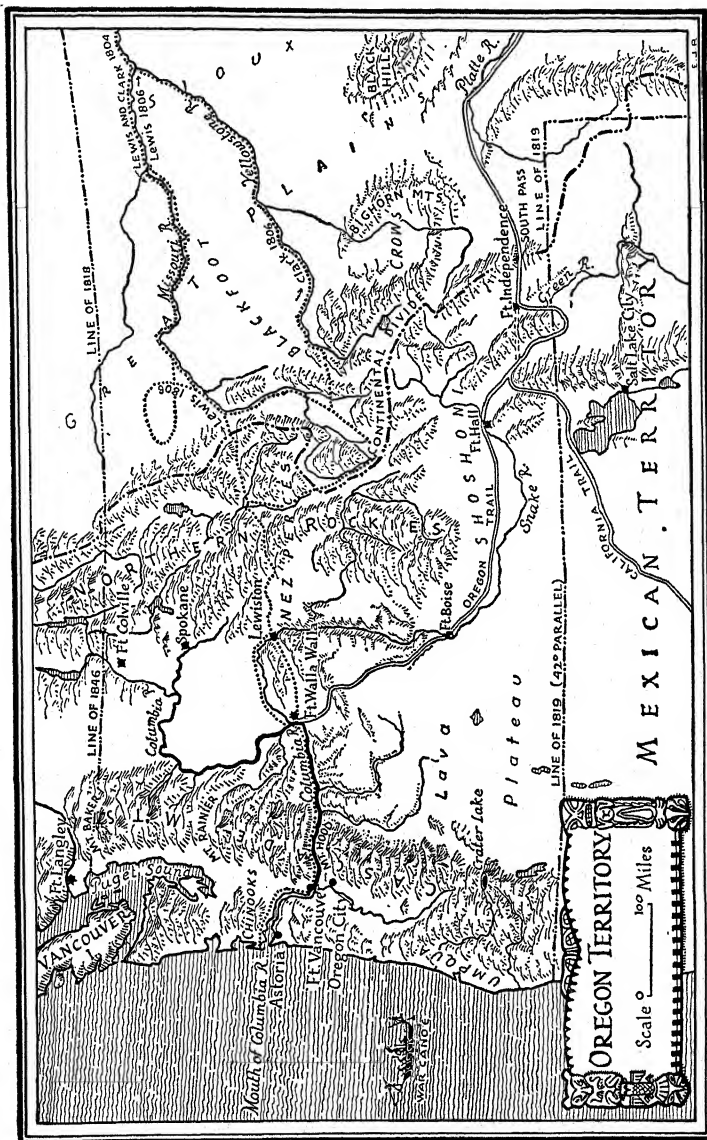
But it was a close victory. If Clay had carried New York he would have won. Polk did not receive a majority of all the votes

cast and his plurality over Clay was less than 40,000. The change of a few thousand votes in New York would have given Clay a majority in the electoral college. The balance of power in New York was held by 5104 men who voted for James G. Birney, the candidate of the Liberty party. Many of these were anti-slavery Whigs who were beginning to demand of the party a definite attitude on abolition. They resented Clay's retraction of his earlier position and took revenge by ruining his chance of election. It was becoming difficult to hold the Whigs together on their original intention as the party of conservative property.

Even the dissolution of the Union did not seem to all of them a calamity. A Whig convention in Vermont, a year previous to the election, had declared that the annexation of Texas would be solely in the interests of the south and would bring the Union to an end. It was plain that sectional feeling had flared up with a fierce intensity not known hitherto.

But for the moment the crisis had passed. The distribution of the vote showed that annexation was not altogether a sectional issue. The support of it throughout the west and in parts of the middle states was evidence that thousands of voters outside the south were as keen for it as any southerner. Tyler had considerable justification for asserting that the nation had given him a mandate to press forward in the annexation of Texas. Abandoning his attempt to do so by means of a treaty, he asked Congress to accomplish the same end through a joint resolution declaring Texas a member of the Union. A furious debate ensued, and the sectional lines, for the moment, broke party lines. Either because of this emphasis on sectional feeling, or because they took the President's view that the election was a mandate, several Whig senators from the south now became annexationists. A joint resolution admitting Texas to the Union passed the House by a good majority and the Senate by two votes (contrast page 541). The invitation thus extended was accepted by Texas and the new state was formally recognized as one of the United States, December 29, 1845.

Without waiting for the completion of the episode, Mexico had protested the admission of Texas and had broken off diplomatic relations with the United States (March 28, 1845).



(7) Breaking the Western Barrier: Oregon

The new President was a determined, taciturn man who was a thoroughgoing Democrat. He had a double program: to get rid of the legislation that the Whigs had brought about, and to carry out a great scheme of westward expansion.

The first part of his program offered no serious difficulties. The subtreasury system was promptly restored (1846). Thus ended the Whig hope of a central bank, not to be revived until more than fifty years later when the Federal Reserve System came into existence. The Whig tariff went the same way as Whig finance. The high rates of 1842 (page 534) were swept aside. A tariff named for the secretary of the treasury, Robert J. Walker, practically abolished protection and reduced the customs with a view to producing revenue only.

The expansion program was the serious part of Polk's policy and encountered difficulties at every turn. But Polk was a lucky statesman, and in his first attempt to break the western barrier he had unsuspected aid. The Hudson Bay Company came to the conclusion, about 1844, that the valley of the Columbia was no longer a valuable hunting ground. At the same time they began to be fearful that the American settlers might at any moment become belligerent, provoke a border war, and seize the rich stores accumulated at Fort Vancouver. Hitherto, American settlement had confined itself to the south side of the Columbia, but there were many Americans, determined and reckless, within striking distance of the Hudson Bay headquarters. The company resolved to abandon the Columbia valley and remove its headquarters to Fort Victoria, on Vancouver Island. The removal was quietly effected in the summer of 1845.

Without knowing what the company was doing, Polk had begun negotiations for terminating joint occupancy. He offered to divide the Oregon country on the forty-ninth parallel, drawing it across Vancouver's Island to the open sea. This offer was abruptly refused by the British minister without referring it to his home government. Polk took a high note and in his message of December, 1845, asked Congress to give notice of the termination of joint occupancy, and to prepare to take possession of Oregon by force of arms.

Shortly before this stormy message was sent to Congress, Lord Aberdeen, the British Foreign Secretary, became fully apprised of

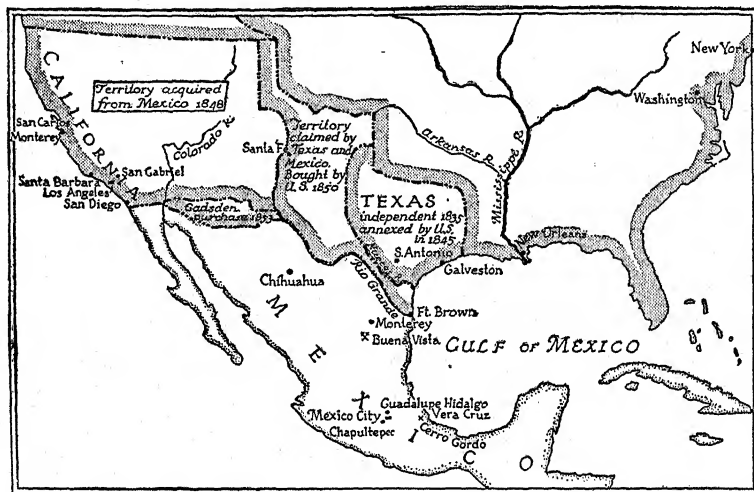
the shift of base by the Hudson Bay Company. Hitherto, British policy as to Oregon had been determined by a belief that the Columbia was invaluable as an outlet of western Canadian trade. The company, so long as it served their purpose, encouraged this belief. Their own action now contradicted it. Aberdeen, who sincerely wanted peace with the United States, persuaded the Prime Minister, Sir Robert Peel, that the traditional insistence on the value of the Columbia as a trade route was an exploded fiction. Peel at length permitted him to submit a compromise treaty: the boundary line was to be the forty-ninth parallel to Puget Sound; all of Vancouver Island was to be British soil; and both nations were to be free to navigate the Columbia (June 6, 1846). When this offer was made the Mexican War had begun. Polk at once accepted the compromise and the Oregon problem was at an end.

(8) Mexican War: Northern Campaign

While the Oregon negotiations were momentarily at a standstill in September, 1845, Polk took up his cherished schemes, the acquisition of California and of the southwest. It was a disputed question whether Texas extended southward to the Neuces River or to the Rio Grande. Polk was bent on securing the Rio Grande as a boundary. He sent John Slidell to Mexico as special envoy instructed to purchase California and New Mexico and to fix the boundary of Texas at the Rio Grande. The rulers of Mexico were both sensitive and arrogant. The overtures from Polk were indignantly rebuffed. When this news reached Polk (January 12, 1846) he ordered General Zachary Taylor to take an American force into the disputed territory.

Taylor had been sent with a small army to the banks of the Neuces the previous summer. There he had remained until the new orders arrived, in February, 1846. He marched at once for the Rio Grande and began the construction of Fort Texas—now Fort Brown—just across the river from Matamoros. The Mexican General Ampudia, commanding at Matamoros, demanded the withdrawal of Taylor back to the Neuces. Taylor refused. On April 24, 1846, a Mexican reconnoitring party on the north side of the Rio Grande met a small body of American soldiers; there was a petty skirmish, and several Americans were killed. Taylor's dispatch announcing this action

gave Polk the ground for a declaration of war. He informed Congress (May 11, 1846) that "after reiterated menaces Mexico has passed the boundary of the United States, has invaded our territory and shed American blood on American soil." Congress replied by appropriating \$10,000,000 and authorizing an army of 50,000 men for the prosecution of the war with Mexico (May 12, 1846).



THE DISPUTED TERRITORY AND REGIONS ACQUIRED BY THE UNITED STATES AS A RESULT OF THE MEXICAN WAR

The diplomacy of the period is very obscure. Just what it was that moved Polk and his advisers to take an aggressive course at this particular moment is not established beyond question. That he was a born expansionist and that he wanted the Pacific coast is plain enough. Perhaps, also, he was afraid that if he did not act promptly the bugaboo of a powerful Texas which allied with England, might assume still more dangerous proportions, wrest California from Mexico, and create a rival of the United States with one extremity on the Gulf the other on the Pacific.¹

Whether there was a genuine movement to create a Texan-Cali-

¹ Appendix to *The Congressional Globe*, 29th Congress, 1st session, Atchison of Missouri, urging prompt action with regard to Oregon: "Will they not say, 'Does not the head of the Hudson Bay Company tell us that England will assist in maintaining our independence? Have not the French offered the same thing?' And as the Senator from Maine (Mr. Evans) said the other day, California will follow and in the course of less than fifty years they will have strength enough, they will have allies and friends enough, to enable them to carry their possessions from the Russian line to the Isthmus of Darien."

fornian Republic is an unsolved problem. Men of very diverse views held that it was possible, even desirable. Fear that this imaginary southern rival might come into existence was echoed in Congress by expansionists, while a belief that it was none of our business inspired the opposite attitude in the Whigs led by Webster. His final attitude was anticipated by an obscure Congressman who asked, "Does any one believe that such an extension to the Pacific can be made without parting the chain of our Union? Elastic as I believe this chain to be, it cannot be stretched from the Atlantic across the Rocky Mountains to the Pacific without breaking."¹

A long letter to Calhoun, when he was secretary of state, was written by Ben E. Green, who was attached to the American Mission at Mexico (April 11, 1844). If the letter is to be accepted as good history, the picturesque Sutter, a restless American, Lansford W. Hastings, and various people in Oregon, were all planning to create a great new republic comprising Texas, California, and Oregon.

Whatever was Polk's immediate motive, he had sensed correctly the temper of the nation. Even before war was declared American volunteers had begun to arrive at Taylor's camp, and he—so sure was he what Congress would do—had taken the offensive. There was a sharp little battle at Palo Alto (May 8) and another at Resaca de la Palma (May 9). Both were American victories. Taylor crossed the Rio Grande (May 18), drove the Mexicans out of Matamoros, and pursued them slowly to Monterey, which he took by storm (September 24, 1846).

The war which had begun in this haphazard fashion proceeded for a time upon the line of least resistance. But the authorities at Washington were not satisfied that an invasion from the north was the true mode of bringing Mexico to terms. Polk doubted the abilities of Taylor as a general and was displeased because he had allowed the beaten Mexicans to withdraw from Monterey. Plans were laid for another expedition that was to invade Mexico from the sea, which Taylor was not to command. The winter of 1846-47 was taken up by strenuous efforts of the American Government to raise and equip troops and with sharp bickerings between Washington and Taylor, who had been informed of the change of plan.

His military career was almost at an end. But he found one more

¹ Tracy, of New York, *Annals of Congress*, 17th Congress, 2d session, 422-23.

opportunity and seized it so brilliantly that in time the fame of his victory made him President. Santa Anna (page 492) was now dictator of Mexico. He was marching northward with an army that was three or four times the size of Taylor's. At Buena Vista (February 22-23, 1847) in a hard fought battle Taylor defeated him. Santa Anna retreated and the war in the northern portion of old Mexico came to a standstill.

(9) Breaking the Western Barrier: California

Polk had no intention to wait until the war closed in order to secure California. A naval expedition and a land expedition were promptly set in motion.

The land expedition faced a problem of roads. And this takes us back to the explorations of Zebulon Pike (page 355). Until his time Americans had the most hazy notions about northern Mexico. Pike discovered that the Spaniards had thrown out a military colony far up in the valley of the Rio Grande, with its centre at Santa Fe. He was shrewd enough to see that there was an incipient southwestern trade waiting to be developed by the Americans. A trade route from Saint Louis to Santa Fe was the condition of such development. Congress authorized a commission (1825) which laid out the Santa Fe trail; Fort Leavenworth was built (1829) and later Fort Bent, in order to protect traders from Indian attack on their way to the Mexican border. Military escort was provided. Caravans of wagons and horsemen passed to and fro on the Santa Fe trail, year after year, and the southwestern trade which Pike foresaw was developed.

It was this trail which made easy the first move overland in the conquest of California. Colonel Stephen W. Kearny, in command of an American force, started from Fort Leavenworth, encountered no resistance, and entered Santa Fe, August 18, 1846. He proclaimed New Mexico a part of the United States; set up a territorial government, and pushed on down the Rio Grande. From the river westward he would have to make his way, without a road across the "Great American Desert" toward California. His meeting with a famous scout, Kit Carson, led to a change in his plans, and delivered him from the dangers of a roadless march.

While the land expedition was moving down along the Santa Fe

trail, a naval force had made a demonstration on the Pacific coast. The Spanish settlements in California, like the settlement at Santa Fe, were frontier colonies that formed the terminals of roads to Mexico City. Though military in origin, they had commercial possibilities. In California these settlements centred at the three important harbors of San Diego, Monterey, and San Francisco. When the war began, an American squadron was hovering off the coast of California, with secret orders to seize the California ports if war broke out. Promptly upon the outbreak of war the ports were seized by the Americans. From the little town of Yerba Buena, on San Francisco Bay, a naval officer started northward. He carried an American flag that was to be raised at the town of Sonoma.

The cause of the officer's journey was a revolt of Americans in Northern California. About three weeks earlier a number of American adventurers had gathered at Sonoma (June 14, 1846), proclaimed themselves independent of Mexico, and set up the now famous Bear Flag—a white field, a red star, a red stripe at the bottom, the figure of a bear, and the words "California Republic." At that moment an officer of the American army, Captain John C. Frémont, was in the mountains northeast of Sonoma. He had come overland, exploring the passes of the high Sierras. The Bear Flag men invited Frémont to take command at Sonoma. He hurried to their assistance, was installed as their commander (July 5, 1846), and started southward. A few days later Frémont was in contact with the officers landed by the navy; Sutter's settlement was occupied (July 11); and the self-constituted land army joined operations with the navy. The California Republic vanished from the minds of Frémont's followers. They were taken aboard ship at Monterey and transported to San Diego. Commodore Stockton following down the coast seized San Pedro, the port of Los Angeles, and sent off Kit Carson with dispatches for Washington saying that California was conquered. This was the news that Carson brought to Kearny.

It was premature. The Mexican inhabitants gathered for a counter stroke against the Americans. A miniature local war was impending when Kearny, having sent back his forces to Santa Fe, arrived in California, took command of the forces on the ground, and in the battle of the San Gabriel River (January 9, 1847) finally completed the conquest of California.

(10) Mexican War: Southern Campaign

While the conquest of California was in progress the American navy seized the island of Lobos, off the east coast of Mexico. There, General Winfield Scott assembled an army early in 1847. Moving over to the mainland, he laid siege to Vera Cruz, compelled its surrender (March 24, 1847), and started upon his daring march up into the mountains toward Mexico City. A victory at Cerro Gordo (April 17, 1847) drove the enemy from what had seemed to be an impregnable position. Scott continued his march until he reached the city of Puebla. There the Americans made a long pause while fruitless attempts were made to close the war through negotiations with Santa Anna.

This entire march is one of the famous exploits of American arms. The most creditable feature of it is the quiet security of the surrounding country while the invaders maintained their temporary rule at Puebla. There was none of the harshness, and no suggestion of the brutality, that has so often disgraced the conqueror in his occupation of invaded country. The inhabitants went about their ordinary occupations, sold their produce to the Americans, and enjoyed probably the most stable chapter in their political experience.¹

Negotiations having failed, Scott resumed his march (August 7, 1847). With 10,738 men he abandoned his connections with the coast, and began the ascent of that vast range of mountains which encircles Mexico City. Three days later the Americans looked down from the crest of the range on a beautiful panorama, with the famed city in its midst. From this lofty height they descended, no communications behind them, into the most strenuous chapter of the war. It was a chess game of bold movement by the Americans through extremely difficult country, punctuated by a series of hard-fought battles, and reaching its climax in the storming of the great fortress of Chapultepec, which was desperately defended (September 13, 1847). With Chapultepec in his hands, Scott had the city at his mercy. What re-

¹ "Our paying the Mexicans liberally for what (provisions) they bring (to the army) will induce them to come; our punishing those who prevent them will show them that . . . our strength . . . will be exerted when necessity demands it. . . . The market people are becoming much more reasonable in their prices; we now buy a dozen eggs for eighteen and three-quarters cents; and occasionally five cents for a pie; onions, sixteen for six and one-quarter cents, and bananas, seven for six and one-quarter cents."—Letter of Robert Anderson to his wife in *An Artillery Officer in the Mexican War*.

mained of the Mexican army withdrew from the capital, which was surrendered by the civil authorities. Negotiations now began in earnest. But they progressed slowly. It was not until February 2, 1848, that a treaty of peace was finally accepted by the Mexicans, and tentatively accepted by the Americans at Guadalupe Hidalgo.

(II) *The Treaty of Guadalupe Hidalgo*

Nearly two years had passed since the petty skirmish that began this desultory war. During all that time it had disturbed the thoughts of the politicians at home. The Whigs had denounced it, but had not had the courage to refuse to vote supplies. Any one could now see that the tide of expansion sentiment was in full flood. The Whigs tried to save their faces by contending that the army had been forced into a perilous advance; in their solicitude for the soldiers, they would help the President to extricate the country from its false position. Many sincere people—Webster among them—were afraid of what might happen if Mexico were compelled to cede southerly territory, which would reopen the controversy of 1820 over the line of division between free soil and slave soil.

Eighteen months before the treaty was drawn up, a motion had been introduced into Congress which demonstrated the reality of this fear. Polk had asked for an appropriation to facilitate negotiations. A bill to provide him with funds was kept from passing because of the hot debate provoked by an amendment introduced by David Wilmot, an anti-slavery Democrat from Pennsylvania. This amendment has been known ever since as the Wilmot Proviso.¹ The debate was kept going until Congress adjourned without action on the bill (August 13, 1846).

During the remainder of the war whenever an appropriation bill came before Congress an attempt was made to tack on the Wilmot Proviso. None of these attempts were successful. But the votes taken upon them greatly alarmed the Whig leaders. There was an increasing tendency to break party lines and vote on the question not as Whigs or Democrats but as notherners or southerners. Clay,

¹ "Provided, That as an express and fundamental condition of the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty that may be negotiated between them, and to the use by the executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime whereof the party shall first be dully convicted."

when Scott was encamped in Mexico City, made a famous speech at Lexington in which he attempted to give the Whigs a program by disavowing "any wish or desire on our part to acquire any foreign territory for the purpose of propagating slavery, or of introducing slaves from the United States into such foreign territory."

To most southerners the Whig doctrine, coming so soon after the acquisition of Oregon, which was being settled by northerners, seemed out-and-out sectionalism. The north, they reasoned, was to extend to the Pacific; the south, if the Whigs had their way, was to stop at the Rocky Mountains.

There is a curious similarity between the excitement over the Wilmot Proviso and the excitement, twenty years before, over the Tallmadge Amendment (page 414). In each case during the progress of the controversy the original supporters of the measure broke into separate groups. Just as the Republicans in the course of 1819 came to fear that Missouri was being used by their enemies as political capital, so in the course of 1847 many Democrats who at first supported the proviso came to a similar conclusion. Apparently, their motive was not genuinely sectional. Neither was it fanatically abolitionist. Though opposed to slavery, they were not anti-southern, but before all else they were eager expansionists. They preferred to hold California and New Mexico on any terms rather than let them go. When Webster and Clay committed themselves against annexing any territory south of the Missouri Compromise line, they were accused of purely sectional motives, of aiming to make the north omnipotent, of sacrificing the interests of the nation to the interests of their party. In the Congress that assembled in December, 1847, this change of front was sharply demonstrated. When a resolution embodying the proviso was introduced twenty-five free-state Democrats voted against it. The Whigs also were divided, and the resolution was lost.

It was now plain that the country was behind the President in demanding the Pacific coast. The issue finally came before the Senate when Polk submitted to it the treaty which the army had wrung from Mexico. This treaty of Guadalupe Hidalgo drew our southern boundary along the Rio Grande to the south line of New Mexico,¹

¹ The line was "rectified" by a subsequent treaty (1854), negotiated by Christopher Gadsden, which gave New Mexico its present southern boundary in return for \$10,000,000. The purchase was designed to give a good line for a railway to the Pacific.

thence due west to the Gila River, down the Gila to the Colorado, thence along the line separating Upper and Lower California to the Pacific. It also pledged the United States to pay \$15,000,000 to Mexico, and to assume Mexican claims against American citizens estimated at \$3,250,000.

The consolidation of expansionist sentiment and the growing distrust of the official Whig position as mere politics, made it impossible to secure the necessary two-thirds majority against the treaty. It was ratified by a vote of 38 to 14, March 10, 1848.

The United States had rounded out our dominion to what are likely to be the permanent boundaries. Curiously enough they were closely similar to the boundaries claimed by the Stuart Kings under their sea-to-sea charters. The march to the Pacific was completed. The train of events begun by Drake when he set up his standard in New Albion, nearly three hundred years before, had reached a victorious close. A gigantic political-economic force had come into existence. Though the elder nations did not as yet appreciate what had happened, there had been added to their company another of the great powers of the world.

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make her at the same time a practical trading ship. She carried so little cargo that McKim's experiment seemed to his own day to have been unsuccessful.

The Baltimore experiment appears to have been the starting point of the thinking of Griffeths. He was our first marine architect in the true sense, the first to wed science and art in the designing of ships. His belief that what the Baltimore designers had failed to do was none the less possible met at first with ridicule. Fortunately, a New York merchant, William H. Aspinwall, was gifted with vision. His firm—the great China traders, Howland & Aspinwall—backed Griffeths in what the “sound” business men of the time called his crazy venture. In 1845 was launched the first—and one of the most famous—of the true deep-sea clippers, the *Rainbow*. She was a long narrow ship, with a concave prow sharp as a knife blade, with her greatest width much farther back than had previously been thought desirable, a narrow stern, and a mountain of canvas. Her first voyage astonished the world. Her second voyage broke all records on the round trip, New York and Canton. The “age of the clipper” had begun.

Striking as was the genius of Griffeths, it was surpassed—though not eclipsed—by that of Donald McKay. He was one of the flock of marine architects who eagerly followed Griffeths' lead. The finest of all clippers probably were those built by McKay. Both American and English merchants gave him commissions. Perhaps his greatest achievement—consummate both as art and science—was the beautiful *Flying Cloud*. This ship, on a voyage from New York to San Francisco, set a record that was never beaten, eighty-nine days. Before the advent of the clippers that same voyage took a hundred and eighty days. Few will challenge Professor Malcolm Keir in ranking the clipper ships “among the greatest triumphs of human industry.”

Nevertheless, the masterful administration shown in this new era of maritime success is not to be forgotten. The audacity of American skippers rose to meet their new opportunities. The amount of sail which they insisted on carrying while the clouds were racing before the wind amazed and irritated their European competitors. “They weighed anchor in the teeth of storms,” says Professor Keir with justifiable enthusiasm, “and romped into port in the height of a gale.” A discriminating authority upon merchant shipping, Ralph

D. Paine, singles out as brilliantly typical of his time and his occupation, Captain B. H. Waterman, who made the first voyage in the famous McKay clipper *Sea Witch*. "Among all the splendid skippers of the time he is the most dashing figure. About his briny memory cluster a hundred yarns, some of them true, others legendary. It has been argued that the speed of the clippers was due more to the men who commanded them than to their hulls and rigging, and to support the theory the career of Captain Bob Waterman is quoted. He was first known to fame in the old *Natchez*, which was not a clipper at all, and was even rated as slow while carrying cotton from New Orleans to New York. But Captain Bob took this full-pooped old packet ship around the Horn and employed her in the China tea trade. The voyages which he made in her were all fast, and he crowned them with the amazing run of seventy-eight days from Canton to New York, just one day behind the swiftest clipper passage ever sailed and which he himself performed in the *Sea Witch*. Incredulous mariners simply could not explain this feat of the *Natchez*, and suggested that Bob Waterman must have brought the old hooker home by some new route of his own discovery." Mr. Paine adds: "Ashore his personality was said to have been a most attractive one, but there is no doubt that afloat he worked the very soul out of his sailors." Charm, audacity, the love of the gambler's chance, a magnificent ruthlessness, these were the characteristics of the American creators, in commerce or elsewhere, in Captain Bob's day. Nevertheless, they were all quick as a flash to perceive opportunity. The great skippers on the long ocean trails instantly abandoned their heavy old ships and took to the swift racing clippers. Inclined as he is to magnify the work of the commanders, Mr. Paine cannot help combining the man and the ship in his appropriate summary of the new day, when always "it is the same story of carrying sail superbly on a ship which had been built to stand up under it." The logs of the great skippers of the clipper period bristle with such entries as those made by another noted seaman, Phillip Dumaesq, homeward from China in his good ship *Great Britain*—an American clipper, despite its name—in 1849: "Passed a ship under double reefs, we with our royals and studding sails set. . . . Seven vessels in sight and we out sail all of them. . . . Under double-reefed topsails passed several vessels hove to."

However, the part of circumstance in giving the Americans a new world of commercial chance, as the forties merged into the fifties, cannot be denied. There was good reason why Senator Benton in 1849 made his famous remark, pointing westward, "There is the east. There is India." The word India was but a manner of speaking, it was still a synonym for the "gorgeous East." Benton should have said, "There is China." The Treaty of Wanghia had been followed by a brisk increase in China trade. In America two beliefs of the time intensified the long tendency to lean heavily on the commerce of the Orient. One was the belief that China was destined to become a huge market for the coarser cotton cloths, and that the American manufacturers might take possession of this market. The other belief—or perhaps it would be truer to say, the hope—was that American tobacco might supplant opium as an article of consumption in China. When gold was discovered in California and the "gold rush" sent a stream of population to the Pacific, still other considerations—as will quickly appear—strengthened the interest in communications with Asia.

It is doubtful whether any of these were of such immediate practical importance as an epoch-making action of the government of Great Britain which was taken in 1849. Had England, that year, fully appreciated what Griffiths and McKay had accomplished she might well have hesitated, however sound economically was the reasoning back of what she did, that year. The old Navigation Laws were finally repealed. Hitherto, Americans had been excluded from the trade between England and China. Now it was thrown open to them without restrictions.

When the repeal took effect, the American clipper *Oriental* was loading with tea at Hong Kong. The British merchants living in China appreciated the sailing qualities of the clippers. When it was known that the *Oriental*, taking advantage of the repeal, would sail direct to London, there was general eagerness to place shipments aboard this fine clipper even though her captain, Theodore Palmer, demanded a rate almost twice that charged by the British tea ships. After a record passage of ninety-one days, Palmer dropped his anchors alongside the West India Dock in London. The maritime interests of Great Britain were astounded. The British Government ordered the admiralty draftsmen to make a study of the clipper type

of ship. British merchants opened correspondence with American builders. Said *The London Times*, "We must run a race with our gigantic and unshackled rival. We must set our long-practised skill, our steady industry, and our dogged determination against his youth, ingenuity, and ardor."

(2) *The Sections and Commercial Expansion*

There was one ominous feature of the new commercial day. Apparently the expanding commercial prosperity was going to be dominated by one of the "two nations of the Republic"—that is, by one section—to the disadvantage of the other. The northeast, having broken away from preoccupation with agriculture, having given so much of its attention to manufacture, to banking, to trade, possessed fluid capital. It could place its capital wherever it saw a profitable opening. The capitalists of the great northern cities were owners of the packet lines and the famous clippers. Their money was the foundation on which had been reared the mills that hoped to flood China with American cloth. Their money also had gone into the northern west and had financed its development; they were aiming to cover it with a network of railways. By a thousand golden strings, northern east and northern west, though not yet quite an economic unit, were being tied together.

The south, in sharp contrast, appeared to be excluded from the prosperity of the new day. Its whole life was founded upon agriculture. It had very little fluid money. It was not a promising field for extensive money lending because of those conditions already described which compelled the planter to live on credit and made it hard for him to pay interest on large loans. The south made comparatively little appeal to railway speculators because its one great staple, cotton, could be transported almost altogether by river and sea. The cotton was carried to northern mills in northern coastwise ships, or to Europe in freight ships owned at the north or flying foreign flags. This lamentable economic situation had two results that combined to make history. It intensified the sense in the southern states of a common economic and social destiny; it inspired in most southerners a determination to resist the trend of circumstance and to make themselves masters of their economic fate, in defiance of the north.

Among various purposes, all designed to give the south economic independence, three, as the new day begins, deserve especial consideration. They were the attempt to establish direct trade to Europe; the attempt to establish manufactures in the south; and the attempt to get a transcontinental railway linking the eastern south with the Pacific and opening for it a window toward Asia.

The advocacy of these economic projects was carried on chiefly by means of conventions. From the later years of the forties almost until the outbreak of the Civil War these southern commercial conventions were important features of southern life. Both economists and politicians made use of them for the purpose of directing southern thought. The politicians, at least during the forties and the early fifties, sought to form through the commercial conventions policies that would detach the northwest from the northeast and unite its interests with those of the south. For this purpose the traditional southern opposition to internal improvements carried out by the federal government (page 395) was allowed to lapse.

The matter on which was focussed most clearly both the eagerness of the south to become economically independent, and the desperate effort to divide the northwest from the northeast, was the movement for a transcontinental railway. Previous to the Civil War this movement had three distinct stages.

First. As a mere vision of things hoped for, it was launched by a Michigan promoter, S. W. Dexter (1832); a New York merchant, Asa Whitney, became its devoted propagandist, especially after a business visit to China (1843); in his pamphlet *A Project for a Railroad to the Pacific* (1849) he argued that such a road would secure to the United States the China trade, and form a main link in an international highway from Liverpool to Shanghai.

Second. About the time of Whitney's return from China, the southern conventions began urging the construction of such a road, but were careful to assume that the interests of the south and the northwest were the same, and that the road should be so planned as to serve both. This stage lasted until 1849.

Third. About the close of 1849 the agitation for a Pacific railway became frankly sectional, and the controversy entered its concluding stage.

The second period is of prime importance in general history

because of the sectional feeling which, between 1845 and 1849, the railway project helped to engender. In 1845 a great commercial convention was held at Memphis. Calhoun presided. He told the convention that its true purpose was to plan for the complete development of the resources of the south and west; the Mississippi valley was destined to become the centre of world trade, including trade with Asia. The convention drew up a grand scheme of railways and other improvements, all in the joint interest of south and west, and all to be financed by the federal government.

Though many southerners thought the whole matter both visionary and futile, the larger number, especially the younger men, were hopeful that great things were about to happen. The chief prophet of the movement was a gifted professor of economics, J. T. B. DeBow, who had recently founded *De Bow's Reviews*—a famous magazine which for a number of years was of first importance as an organ of progressive southern thought.

But there was speedy evidence that all such propaganda would stir up economic sectionalism. Some eighteen months later those interests in the northwest which desired to draw closer to the northeast found a loud voice in a commercial convention held at Chicago. This was in the summer of 1847, when the Mexican War was in full swing. The Chicago convention denounced the plans of the Memphis convention as "impracticable, injurious, and inadequate to the needs of the northwest and the Lakes."

As will appear in later sections of this chapter, public sentiment developed fast and in surprising ways in the next two years. The year 1849 was truly a fateful year. Toward its close two more commercial conventions were held—one at Saint Louis, one at Memphis. The Saint Louis convention passed resolutions to the effect that it was the duty of the federal government to construct a "central" railroad across the continent with eastern terminals at Chicago, Saint Louis, and Memphis. It urged the Memphis convention, then about to assemble, to concur.

The Memphis convention did not concur. Its resolutions showed that the controversy had turned a corner and entered its sectional stage. The convention recommended "as possessing special advantages the route commencing at San Diego, on the Pacific Ocean," and continuing far south, through Texas to the Mississippi.

In other words, the attempt to link the northwest with the south had in the minds of many southerners become impossible and they had decided upon a policy of extending the south across the continent to the Pacific and of letting the west alone. Why they had come to that conclusion, and what resulted from it, we shall now see.

(3) The Oregon Difficulty

Entwined with these commercial issues was another which, like them, caused a new and dangerous emphasis upon sectional feeling. To make the matter quite clear, it is necessary to go back to the joint resolution for the annexation of Texas (page 542). That resolution contained two provisions full of significance for the future. It drew the Missouri Compromise line across north Texas and provided that any state carved out of Texas on the north side of that line should be free soil. It also provided for the possible division of southerly Texas into several states, and further provided that they "shall be admitted to the Union with or without slavery as the people of each state asking admission may desire."

The Texas resolution was approved March 1, 1845; war with Mexico began in April, 1846; Polk asked for his first war appropriation, and the attempt was made to fasten to the Appropriations Bill the Wilmot Proviso in August, 1846. In the previous month Polk had informed Congress that the Oregon Treaty (page 545) had been ratified and asked for the organization of a territorial government. The determined majority in the House sent an Oregon Bill to the Senate containing that same Wilmot Proviso, which was also added to the Appropriations Bill.

It is to be remembered that this was in the year following the Memphis convention of 1845 that had labored so hard to draw the south and the northwest together; also, that it was in the year preceding the Chicago convention of 1847 which so roundly denounced the Memphis program. In a word, it was just at the critical moment when economic interests were tending to define themselves in sectional terms. Into that boiling pot the Oregon controversy cast the terrible ingredient of the old dispute upon slavery. The Oregon Bill died in the Senate.

In the next session of Congress the controversy was resumed. Again a bill to organize the territory of Oregon was introduced in

the House. At this time California had been conquered by Kearny and it was generally assumed that the western conquests would never be given up. A southern member offered an amendment to the Oregon Bill extending the Missouri Compromise line to the Pacific. It was voted down and the Oregon Bill with the Wilmot Proviso passed the House by an almost solidly sectional vote. The Senate allowed the bill to lapse without action.

The third debate over Oregon took place in the new Congress chosen in 1846, which assembled in December, 1847. This Congress, because of the ratification of the Treaty of Guadalupe Hidalgo (page 552), faced the old problem with a new complication. The Pacific conquests were now part of the territory of the United States. California and New Mexico must now be dealt with as well as Oregon. There seems to be little doubt that the great majority of Americans, north and south, were absorbed, first of all, in economic problems; second, in the economic aspect of sectional problems. But there was the small, determined, and perfectly fearless group, that thought little about economics and gave all their earnest thought to the restriction of slavery. Throughout the north they came near to holding the balance of power between the two great national parties. Whatever happened, they meant to prevent any further recognition of slavery in the laws of the whole country. Hence, they fought desperately to prevent the extension of the Missouri Compromise line.

In the spring of 1848, with the presidential election in sight, Congress took up the question of territorial organization. By this time the settlers in Oregon were estimated at 12,000; they had formed a local government, prohibited slavery, and were begging for the status of a territory and the protection of the United States against the Indians. No action proposed by either side in Congress would have any effect upon life in Oregon; it might have significance only as the statement of a general principle. Three different ideas were advanced: To accept the Wilmot Proviso; to extend the Missouri Compromise line to the Pacific; to adopt a new and revolutionary idea developed by Calhoun and very ably defended by Jefferson Davis, now a senator from Mississippi.

As to this new idea, it was the assumption that inasmuch as a slave was property, and as the territories were the common posses-

sion of all the states, neither Congress nor a territorial legislature could prevent a slaveowner from taking his slave property into a territory.¹ It followed, therefore, that in strict legality a territorial legislature could not prohibit slavery. However, while evoking this bold new principle of Constitutional law, Davis took the ground that he was willing for the sake of a peaceful solution that would allay sectional rancor, to fall back on the Missouri Compromise and extend its line to the Pacific.

After a furious quarrel between the houses in which the Senate stood for extending the Missouri Compromise line and the House against extending it, the Senate gave way; a tacit compromise was reached. Oregon was organized as a territory, just as it stood; no commitments were added to the bill creating the territory, and nothing was done about California and New Mexico (August, 1848).

The following autumn the Whigs elected Zachary Taylor President. They had adopted no platform, made no declaration of principles. The campaign was won on the basis of "Hurrah for the Great Military Hero." The Democrats nominated Lewis Cass. Though Taylor had a majority in the Electoral College, he polled a minority of the popular vote. The most significant feature of the campaign was the large increase in the vote of the Liberty party, now called the Free Soil party; it rose from 62,000 in 1844 to 291,000 in 1848. Its candidate was Martin Van Buren. Obviously the established and apparently powerful parties were threatening to go to pieces, and this small but uncompromising new party could give the victory to either of the two that seemed to overshadow it. The Free Soil platform was a bitter denunciation of both the old parties; it asserted a "resolve to maintain the right of free labor against the aggressions of the slave power and to secure free soil for a free people."

The Free Soil vote in New York was made up very largely of seceding Democrats who had gone into opposition because of furious factional fights within the party. A radical faction, nicknamed satir-

¹ Davis, in the Senate, July 12, 1848, as reported in *The Congressional Globe*: "He denied that there was any intention to force slavery on Oregon. . . . He stated that the Missouri Compromise had obtained its validity from the consent of the states. Congress might enact laws on the subject, or make compromises but without the consent of the states interested, they would have no validity. . . . If the existence of the slave as property be admitted, what power has Congress to interfere with it? . . . Entering a territory with this property, the citizen has a right to its protection."

ically the Barnburners, who, in the effort to control the party had been downed by the conservative "Hunkers," joined with honest Free Soilers and gave the state to the Whigs, thus electing Taylor.

(4) *California*

One of those incalculable events that have so often made a mess of the orderly course of things occurred in California, January 24, 1848. Sutter (page 538) had a foreman, James Marshall, whom he had sent up the American River for the purpose of building a mill. On this memorable day Marshall discovered yellow particles in the tail race of the mill. He suspected what they were and hurried away with them to Sutters Fort. Tests were applied and both Sutter and Marshall were satisfied that they were gold.

The two men tried to keep the discovery secret, but at the opening of the spring, newspapers in San Francisco (Yerba Buena) were publishing it to the world. The news went east on sailing ships by way of the Sandwich Islands, and at first was not taken seriously. A reaction came when official reports to the Secretary of War, at the close of the summer, confirmed the tales of the sailormen. California suddenly became El Dorado. Accounts of the fabulous wealth to be picked up there spread to Europe. Companies were formed in Paris and London with a view to obtaining American gold. The lure of the new-found treasure was felt in Russia on the one hand, and in China and Australia on the other.

Meanwhile that audacious merchant, William H. Aspinwall (page 558), had taken a government contract for carrying mails from New York to California. His ships were to go down the Atlantic coast to Panama; the mail was to cross the Isthmus by road and go up the Pacific coast in Aspinwall steamers. Ships for the Pacific service left New York, on the long journey around Cape Horn, before the gold discovery was known in the east. They met the news as they came up the west coast of South America. At Panama a great crowd brought down by the Atlantic steamers was awaiting them. This was the advance guard of the now famous "Forty-niners," who arrived in California, February 28, 1849. Presently they were joined by other adventurers who had made the long journey overland through South Pass.

The rush of the gold seekers to California has been the theme of

innumerable descriptions. The details of this dramatic episode are preserved fortunately in a number of diaries. No such epidemic of enthusiastic adventure has taken place in our history. The hardships; the courage; the mingling of all sorts of people, good and bad, of honest miners and designing criminals; the enormous prizes wrested from the earth by those who had been lucky in their choice of mining land; the tragic desperation of those who failed: all this is scarcely paralleled in the history of adventure.

The legal status of the earth of California was yet to be determined. A portion of it had been granted by Spain and Mexico in huge estates. Most of it had never been appropriated by settlers, either actually or on paper. The laws of the United States had not yet been adapted to the new possession, and there was no official government unless the orders issued by American military officers could be so regarded. All effective government—such as there was, in 1849—was in the hands of local committees elected by actual settlers; these committees laid down the law as they thought best. They set up informal governments that made police regulations, and fixed the amount of soil which an individual miner might appropriate to his own use.

The vast majority of the Forty-niners were young men with their fortunes all to seek. But there were a few exceptions. These were slaveholders who had brought their slaves with them, and who now attempted to take up mining claims in the names of their slaves as well as in their own, and to work all their claims by slave labor. To the poor adventurer who had only himself to rely upon, the issue thus presented was vital. He instantly resolved that no claim should be taken except by an individual for his own use, and that slave labor should not be allowed to compete with free labor in the mines. These determinations were uppermost in the thought of the overwhelming majority of Forty-niners when General Riley issued a call for a constitutional convention. Elections were held. The convention met; the constitution of Iowa was taken as a model; and slavery was prohibited in California. A governor was elected; representatives and senators were also elected and promptly dispatched to Washington with the demand that California, with its free constitution, be at once admitted to the Union. Its population was near a hundred thousand.

(5) Compromise Measure

As the year 1849 wore away, while settlers poured into California, it became plain to all far-sighted Americans that politics, economics, sectionalism, and slavery were all about to be re-entangled in most fortuitous fashion. Obviously, a crisis would occur as soon as Congress met. The southerners were anxious. Again, as in 1820, they felt that their enemies were moving to "encircle" them—in the economic war of the sections—and that chance had suddenly turned against them. It is evident that during the year there was much study of the California map and of California conditions. Two conclusions were reached: That almost all the anti-slavery new population was in the upper part of the self-constituted state; and that a prolongation of the line $36^{\circ} 30'$ would divide California approximately in accordance with its natural geography. Davis was particularly painstaking in these studies. He revealed accurate ideas of economic geography in arguing that the two great valleys which unite at San Francisco Bay form with their one harbor and their enclosing mountains an ideal site for a commonwealth, while the region which he named South California was, in the logic of nature, a separate entity. In his mind, as in the minds of many others, these conclusions drew the lines of strategy for the approaching session of Congress. While putting forth as their general principle the doctrine to which Calhoun had given the final form—namely, that Congress had no right to legislate either for or against slavery in the territories—Davis and the bulk of moderate southerners were prepared to fall back on the *status quo* and draw the Missouri Compromise line to the Pacific.¹

A very determined old man saw things in a different way. Clay had made many mistakes, through temporizing at the wrong moment. Nevertheless, the bedrock of his nature was audacity. At

¹ Davis, in the Senate, June 28, 1850: "I shall contend for this amendment (extending the Missouri Compromise line to the Pacific) as a measure of expediency. . . . And if there be a special interposition—a guardian care over us still—I think it is manifested in the identity of the geographical and political considerations for the renewal of the compact, the extension of the line $36^{\circ} 30'$. . . divides the pastoral and agricultural, the semi-tropical country, from the grain-growing regions of the north. . . . I have said that this country south of $36^{\circ} 30'$ was separated by nature from the body of what is now called the state of California, and that it claims a political organization separate from the other . . . a bare inspection of the map, with the slightest knowledge of the mountain ridges and passes, must convince any one that this country belongs to South California. Its ports are San Diego and San Pedro . . . this country of South California should stand alone. . . ."

bottom he was still the daring plunger who, thirty-eight years before, had rushed the country into the War of 1812. He, no less than Davis, had studied intently the political situation of 1849. He saw, in the Congress that was soon to assemble, a Senate where the Democrats had a majority and a House so broken into factions that there was no solid majority, but where the Free Soilers who had turned the scale in the presidential election could, unless somehow negated, turn the scale of legislation.

His mind, in this last episode of his career, was a mixture of motives. He was honestly a nationalist; he was a southern Whig; he disbelieved in slavery; and he wanted to be President. As a Whig leader he saw that only consummate strategy could give his party a new lease of life.

His attempt to unite all the moderates of all factions, and thus to take the control of the situation out of the hands of the extremists, was embodied in eight resolutions which he laid before the Senate, January 29, 1850. They dealt with more than slavery. Texas was clamoring for the definition of her western boundary and also for the assumption by the United States of the debt left over from her period as an independent republic. The Texans argued that they had intended to pay that debt out of customs receipts and that now, as a state in the Union, Texas had lost that source of revenue. To secure Texas support for his compromise, Clay proposed to establish the boundaries of the state and to assume the debt of the Texan Republic.¹

From January until September there was bitter wrangling over how much, if any, of Clay's program should be adopted. Calhoun, in the midst of his last illness, made his final appeal to the south to stand firm (March 4). Too ill to speak, he sat silent while his speech was read. With all his relentless logic, he dissected the position of his enemies, showing that their aim was the complete encirclement of the south, which would result in depriving it of all chance to increase in population and therefore in legislative influence, while, at the same time, the north would be steadily growing in both respects and thus eventually the south would become its social and economic vassal. He proposed as the one sure remedy an amendment to the Constitution which should equalize the interest of the

¹ The eight resolutions are included in Clay's speech explaining them: *Constitutional Globe*, January 29, 1850, pp. 244-247. Discussion began immediately.

sections in the territories, guarantee the peaceable possession of slave property, and put an end to anti-slavery agitation. The only alternative he could see was the breakup of the Union. "If you (the north-erners) are unwilling we should part in peace, tell us so, and we shall know what to do when you reduce the question to submission or resistance."

The man who, at that moment, had more influence with moderate men in the north than had any other senator was probably Webster. Nearly two months of debate had gone by and he had not spoken. To him innumerable eyes were turned, in all parts of the country, eager to discover what position he would take. At last he revealed himself. What has been known ever since as "the 7th of March speech" was Webster's eloquent defense of Clay's resolutions. He censured the abolitionists for their intemperate fury and pleaded with his countrymen not to drive the southerners to desperation.

Months of savage talk had still to elapse before the final compromise was reached. But it is probable that Webster's speech was the turning point.¹ It had diametrically opposite effects. The abolitionists throughout the country greeted it with a shriek of anger and accused Webster of having no motive but to curry favor with south-erners as a presidential candidate. More potent at the time was the hearty support it drew from all the moderates. In Congress, the 7th of March speech consolidated the factions backing the compromise. At length, five bills were passed making effective the substance of Clay's program. California was admitted as a free state, including all that "South California" which Davis wanted to separate from the rest. The slave trade (not slavery) was prohibited at Wash-ington. A new fugitive slave law placed the whole matter of the recovery of runaways in the hands of the federal courts. New Mexico and Utah—as Deseret was now called—were organized as territories with no restriction upon slavery. The present boundary between Texas and New Mexico was accepted and the United States assumed the debt incurred by Texas in her struggle for independence.

When these bills were passed General Taylor was no longer in the White House. His sudden death (July 9, 1850) had been fol-

¹ There is no better discussion of Webster's motives than an article in *The American Historical Review*, "Webster's Seventh of March Speech," by Herbert Darling Foster, January, 1922. See also the recent life of Webster by Fuess. Whittier wrote his "Ichabod," a poem once famous, denouncing Webster as a traitor to principle. Emerson and other abolitionists were quite as severe.

lowed by the accession of the vice-president, Millard Fillmore. The new President signed the compromise bills. Mere politicians thought the crisis had passed. They assured each other that slavery was out of politics forever.

(6) *The Plebiscite of 1851*

The last word on the compromise had not been spoken. A forecast of serious things to come was a convention held at Nashville in June. It had been called by the legislature of Mississippi with a view to holding the southern states together in a resolute opposition to any sort of compromise. Between the call for this convention and its assembling the 7th of March speech had so affected many minds that even the members of the convention were less bellicose than they had been expected to be. They did not take positive action and adjourned to meet again later in the year. At a second meeting, in November, the temper of the convention was much more aggressive. The southerners in Congress were almost as deeply disappointed by the compromise as were the abolitionists by the 7th of March speech. At Nashville, in November, 1850, though there was little unanimity on most issues, there was general agreement in condemning the compromise and advising a general convention of the southern states to safeguard what they considered their rights within the Union, or, if that could not be done," to provide for their safety and independence." At that moment many leading southerners were convinced that all the slave states were ready to secede.¹ It turned out that they were mistaken. Three incompatible attitudes toward secession were quickly defined. Certain ardent secessionists who had the old-fashioned State-rights point of view wanted their states to act on their own initiative regardless of what the south as a whole might do. Their leaders were John A. Quitman in Mississippi, William McDonald in Georgia, and R. B. Rhett in South Carolina. Eventually they failed in all these states—the only ones in which the issue came to a definite vote.

In Mississippi and Georgia their failure was due chiefly to the efforts of those who had the second attitude toward secession.

¹ "We meet on a melancholy occasion. It is to devise the means of defending the southern states. . . . I would not speak of our ability to resist by secession, should it be opposed. If Virginia, . . . our great parent state, leads us, there will be no bloodshed; and can it be doubted that she will? . . . It is impossible. We shall be united."—Speech of Langdon Cheves, Nashville Convention, November 14, 1850.

Though not satisfied with the compromise, they set great store by the Union, wished to preserve it, and were determined to give it another trial. Their most conspicuous leaders were the talented Georgians, Robert Toombs, Howell Cobb, and Alexander H. Stephens. In a state convention called to consider the question of secession they defeated the party of McDonald and drew up a set of resolutions known thereafter as the "Georgia Platform." These resolutions committed Georgia to abide by the compromise "as a permanent adjustment of this sectional controversy"; stressed the importance to Georgia of "the advantages, foreign and domestic, derivable from her adherence to the confederacy"; but warned the north that "upon the faithful execution of the Fugitive-Slave Bill depends the preservation of our much-loved union."¹

The third attitude toward secession was represented most strikingly by a group of South Carolinians who, while eager to secede, would not do so until the whole south was ready to act in concert. At the close of 1850, Langdon Cheves, Robert Barnwell, and Andrew Pickens Butler stood side by side with Rhett. In the course of the next year they broke with Rhett and in a hotly contested campaign defeated his attempt to induce South Carolina to secede alone. Their motive was quite different from the motive of the Georgians. They changed front because it had become plain that most of the southern states had accepted the attitude of the Georgia group. As one of their followers put it, "To secede now would be to secede from the south." It is fair to call these men southern nationalists—though the term is slightly ambiguous—inasmuch as they had moved away from the older southern insistence on the single state as a perfect unity in itself, and had formed a new idea, looking upon the section as having a unity, social and economic, that ought to find expression in political unity. Their policy was to bide their time, work toward an all-southern party which eventually should bring about an all-southern secession. The policy of the Georgia group was to discourage secession and to find in the national Democratic party a great power having the double purpose of protecting the south and maintaining the Union.

¹For this episode—or series of episodes—see Phillips, *The Life of Robert Toombs*; Cole, *The Whig Party in the South*; Dodd, *Jefferson Davis*; Boucher, "The Secession and Co-operative Movements in South Carolina, 1848-52," in *Washington University Studies*, April, 1918; Stephenson, "Southern Nationalism in South Carolina in 1851," in *American Historical Review*, January, 1931.

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THE PLEBISCITE OF 1851.—The issue of 1850 was not settled by the Compromise. The question whether the country would accept the Compromise became at once a crucial question. In the north it was tacitly answered by an official silence. The northern and western points of view are shadowed in the speeches recorded in the *Congressional Globe*. In the south, on the other hand, there was an active movement for the rejection of the Compromise and the division of the Union. It was frustrated chiefly by those southerners who wished to create a southern nation—the nationalists of the south—who were opposed to the old-style state-rights men, and who held that it was bad strategy to secede until the whole south was of one mind. Craven, A. O., *Edmund Ruffin*; Hamer, P. A., *The Secession Movement, 1847-1852*; McMaster, J. B., *History*, VIII, ch. LXXXVI; Phillips, U. B., *Life of Toombs* and (editor) *Correspondence of Toombs, Stephens and Cobb*; Rhodes, *History*, I, ch. II; Shryock, R. H., *Georgia and the Union in 1850*; White, Laura, *Robert Barnwell Rhett*, chs. V-VII; White, M. J., *The Secession Movement in the United States, 1847-1852*.

CHAPTER XXIX

THE TRANSCONTINENTAL COMMONWEALTH

(1) The Soil and Its Products

THE vast country which reached its historic boundaries in the conquests of 1848 comes nearer than any other great region of the earth to forming a solid rectangle. And yet, in spite of the artificial look of its boundaries on the map, it has a considerable degree of geographical unity. Curiously enough it approximates in form, area, and position the dominion claimed by the Stuart Kings at the opening of American history. The United States, roughly speaking, occupies a lateral slice of North America lying mainly between the thirtieth and the forty-ninth parallels. The Stuart claim at its greatest extent stretched from the twenty-ninth parallel to the forty-eighth, and from sea to sea. After two hundred years, and more, through war and international barter, that imaginary domain had shrunk to a mere fragment of itself, and then, through the same stern processes, had grown as an actual domain to its present stately dimensions.

Our country comprises five great belts of land lying north and south. At either side along an ocean a belt of lowland—on the Atlantic margin, a genuine coastal plain; on the Pacific margin a diversified region in which there are mountains but none of great height and in which plain country and low plateau country are more characteristic. Back of each of these coastal belts lies a chain of mountains. The main part of the country is embraced by the enormous central region, void of mountains, occupied by the gentle hills and low grasslands of the valley of the Mississippi and its thousands of miles of tributary streams.

There is a marked difference, both in form and in commercial significance, of the eastern and western mountains. The Appalachians, still to a large degree wooded, contain the last remains of that gigantic forest which in colonial days extended from the Atlantic tidewater over the eastern mountains and on into the central region, giving place along a jagged line well east of the Mississippi to the

Prairies. The Appalachians are of medium altitude, never rising above 7000 feet; they abound in streams, have deep and lovely valleys, and a bracing climate. They have little plateau country. They rise out of foothills that rise directly out of the plains which are their boundaries. Very different are the western mountains. The vast central plain is tilted up westward toward the enormous rampart of the Rocky Mountains, which cross the whole breadth of the country from northwest slightly southeastward and pass on into Mexico; this rampart is backed by one of the largest plateaus in the world, having its greatest breadth toward the south, tapering northward to Canada, and maintaining an elevation over most of its surface higher than all but the highest peaks of the Appalachians. Its western boundary is another mountain range that strikes off at an acute angle from the Rockies far above the northern boundary of the United States. This range, the Sierra Nevada, with the Rockies and the enclosed plateau, forms a high, austere region forest-clad toward the north, semi-arid toward the south, which is a striking contrast with the green and gentle Appalachians. The southerly part of its high plateau was once known as the Great American Desert and was thought of as an effective barrier to the spread of agriculture westward. Today, with artificial irrigation, in Arizona and New Mexico, it is noted for the productiveness of the soil and for its salubrious highland air.

The mineral products of the United States, in certain respects, divide the country between them. Practically all the iron is in the east. Quite all the gold and silver is in the west. The chief masses of iron lie beneath the green valleys of the Appalachians, with outlying islands in Michigan and Wisconsin and at a few places in Missouri and Texas. The precious metals are stored in vast treasuries beneath the western mountains and in the beds of rivers in the western margin. Though a few small islands of gold have been found in the east, they were washed out long ago. Both east and west produce coal, but the coal fields of the east are of far greater extent and far more accessible than those of the west. The eastern fields extend in a vast labyrinth from the western part of Iowa to the Atlantic plain, the greatest fields being in the Ohio valley or north of it, though outlying fields stretch far down toward the Gulf of Mexico. The deep foundations of the western slopes of the Appalachians are seamed

everywhere with rich veins of bituminous coal. Pennsylvania is the chief producer of anthracite coal. In the production of petroleum the relation of east and west until quite recently was not unlike their relation with regard to coal. Enormous oil fields lay close to the coal mines. It is still true that the bulk of our oil-producing area is in the Appalachian belt or in the central region, in Pennsylvania, Ohio, Illinois, Indiana, Kansas, Oklahoma, Texas. But other great fields have revealed themselves in southern California and in the northerly Rockies.

These five mineral products—iron, coal, oil, silver, gold—play such a great part in modern civilization that their presence or absence in any country is a consideration of first importance. Iron was mined and smelted in America in colonial times. The father of George Washington, among his other ventures, superintended the shipment of American iron to England. The jealousy of the American industry by the British iron-masters led to an act of Parliament restricting the manufacture of iron in America and made the American iron-masters partisans of the Revolution. The industry grew slowly, steadily, during the first half of the nineteenth century and in 1848 was well established. Its entrance into politics will claim attention among other portentous events ten years later.

Coal did not figure largely in American life until this decade of the forties, which in so many respects is a dividing line. The cheapness of wood and the ease of obtaining it made wood the colonial fuel. As the Atlantic plain consumed its forests, the anthracite coal fields were drawn upon to supply fuel in the place of wood. In 1840 anthracite supplanted charcoal in the smelting of iron. The change was made by a noted iron-master, David Thomas, at Catasauqua, Pennsylvania. For thirty years thereafter anthracite was the most important American fuel. Though bituminous coal had been mined in small quantities ever since 1750, there was no large demand for it until the country west of the Appalachians was pretty well settled and had, like the Atlantic, burned its forests. That did not happen for many years after 1848. Not until 1870 did anthracite coal become of secondary importance commercially, and bituminous coal assume the huge importance it has today.

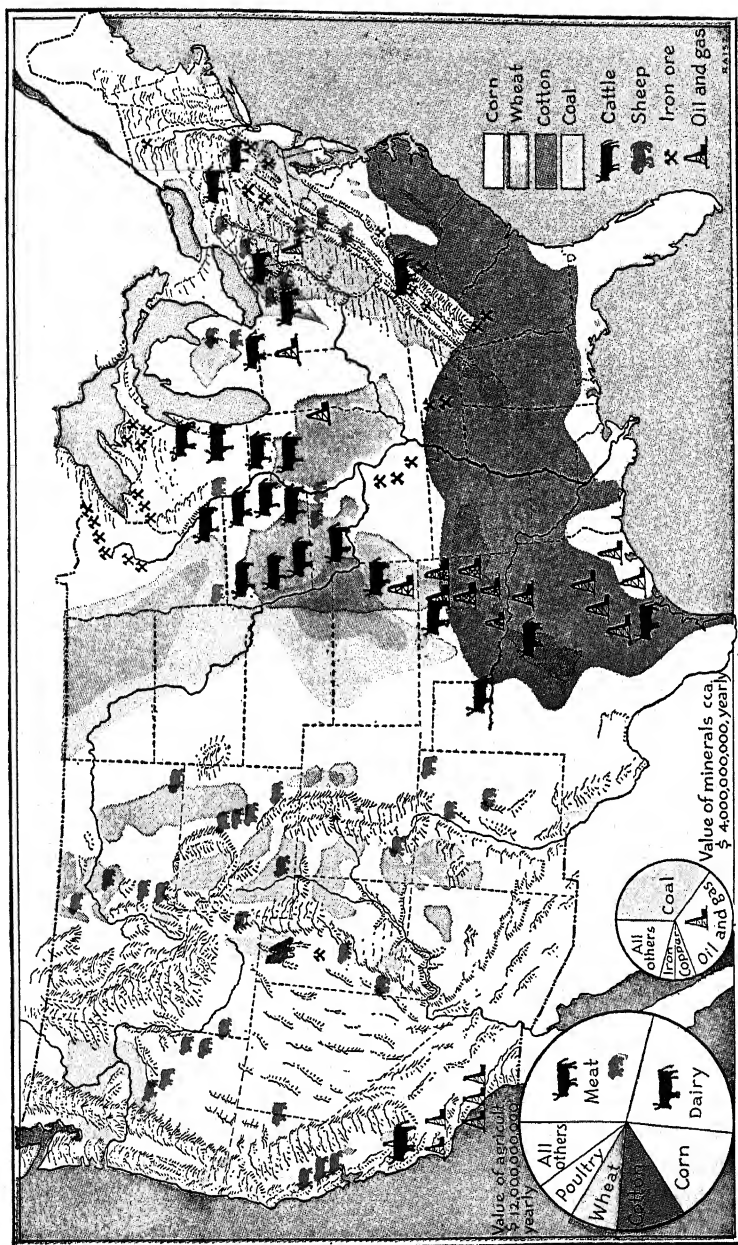
As to petroleum, when the new day in our history begins it was unknown. Nearly ten years were to pass before the first oil well was

sunk at Titusville, Pennsylvania (1857). The history of oil, like the history of soft coal, belongs mainly to the period following the Civil War.

It is a twice-told—or tenth-told—tale that gold was discovered in California the very year of the treaty of Guadalupe Hidalgo. At the very dawn of the new day the precious metals became prime factors in American life, American business, and American politics. America, unaware, was entering at the same moment into the possession of a vast new area, and beneath the soil into a vast treasury of unexploited mineral wealth.

Turning from the secrets of the earth to the lavish productivity of its surface, we find that the greater part of the land east of the Rockies is extraordinarily fertile excepting only the sterile uplands of New England and certain tracts of poor lowland soil in the south-east known as the "pine barrens." The upper valley of the Mississippi was once covered by glaciers whose recession has left behind a soil so rich that some geographers have pronounced this region the most desirable agriculturally in the world.

Richness of soil, temperate climate, and diversity of altitude have conspired to render the surface of our country an agricultural mosaic. A map showing the regions where a given crop can be grown successfully—wheat, for example—would resemble an archipelago. Though two main areas of wheat land form huge masses between the mountain belts, another large wheat area lies along the Atlantic from Virginia to New York; another almost as large fills the valley of central California; and wheat islands are scattered all over the map. But this is not true of all the great staple crops. In a rough way nature has laid down a partial agricultural division of the land into north and south about the line of the thirty-sixth parallel and another approximate division into east and west, agriculturally, on a fluctuating line between the hundredth and the hundred and fifth meridian. South of the thirty-sixth parallel is the cotton country. Its borders vary with climate and altitude. In northwestern Georgia, where the Appalachians thrust far down toward the Gulf, the cotton country is at its narrowest; in the hot, rich valley of the lower Mississippi it reaches its greatest breadth, pushing north almost to the mouth of the Ohio. In 1848 it extended westward to about the hundredth meridian—that is, to west central Texas. Today cotton has moved



OUTLINE ECONOMIC MAP OF THE UNITED STATES

much farther west. In 1848 southerners were dreaming of a steady western advance along the Mexican border, with a view to possessing the Pacific coast as far north as the upper border of the cotton lands. They failed to do so. Now, so long afterward, the staple which was the key to their civilization is advancing along the course upon which southern immigration was blocked and turned back in 1850, and is extending the cotton culture through New Mexico and Arizona into southern California.

North of the cotton country, marching parallel with it, is the country of the cereals. Wheat and corn moved westward through the northern part of the great forest, through the Ohio valley—which was the main avenue from the forest into the grasslands of the prairies, and on westward, jumping wide areas of unsympathetic mountains, to the Pacific. In this northerly area lie all the greatest wheat fields of the country; with the exception of the California field and those in Oregon and Washington, most of the wheat acreage lies east of the hundredth meridian and practically all east of the hundred and fifth. In 1848 it stopped five degrees farther east, at about the ninety-fifth meridian, which is close to the north and south part of the Missouri River. From that same line extended eastward, then as now, the vast cornland which is probably the richest known to history. Its eastern limit is the Appalachians; since 1848 it has extended far west of the Mississippi. Corn, like wheat, has thrown out its islands all over the map, but here, north of cotton and south of latitude 42° , is its unrivalled modern home. Like wheat, it is the tenant of the northern grasslands and the western fringe of what was once the great forest, but even more than wheat it is the dominant staple east of the ninety-fifth meridian. Westward, along the ninety-fifth and the hundredth meridian, corn falters and wheat becomes paramount.

In 1848 certain industries which have since become important had not been thought of as commercial factors in the country's welfare. Fruit, for example. In 1848 each locality supplied itself with fruit and no one foresaw the day when Florida and southern California would compete in New York to control the orange market; or when Oregon and Virginia would cut under each other in the sale of apples. The same was true of that industry which has since grown to gigantic proportion, the beef trade. In 1848, in the great spaces of the south-

west there were Mexican haciendas whose owners were accustomed to "range" their herds—that is, let them wander under the observation of herdsmen—over a wide extent of open land. From these men was learned subsequently an art of cattle handling that grew in time into a distinctive occupation, that filled with herds both the grasslands west of the hundredth meridian and the great plateau between the Rockies and the Sierra and broke over into southern California. Thus eventually was produced the picturesque but short-lived "cow country." But in 1848 all that was far into the future. There were no adequate means of transport from the western grasslands—much less from the western plateau—to the markets beyond the Mississippi.

Pork, however, was another matter. The pig can thrive almost anywhere under almost all conditions. The first extensive meat industry, drawing its supply from many points and meeting the demand of a widely distributed market, was the trade in pork. It had its first capital at Cincinnati, which as far back as 1832 was nicknamed "Porkopolis." In 1848 this industry was holding its own, the river steamers of the Ohio and the Mississippi forming its system of distribution. Chicago was not to rival Cincinnati in the pork trade for another ten years, and not to distance it for twenty.

Three industries that were destined to become serious factors in American economic politics were lumber, sugar, and wool. Our country was once inestimably rich in trees. They have been cut with utmost recklessness. The organized lumber industry began eating away the great forest both for fuel and for building, along its northern flank, from New England to the Lakes; thence it turned south and cut and slashed its way to the Gulf of Mexico; having taken the cream of the marketable timber east of the central grasslands, it passed over them and in our day has found its best profits in the western mountains and on the Pacific slope. In 1848 the western forests were still, of course, untouched by commercial industry. Even in the south lumbering had not become more than a local industry. The small size of the towns, the absence of mills, the comparatively small number of plantation houses made it easy to supply the local market with splendid pine or oak timber cut near by. The north, though already an extensive consumer of lumber, drew its supplies from the destruction of its own forests, especially from those of Maine. Every spring, as the ice broke up and streams filled,

enormous rafts of logs were floated down the Maine rivers. These logs were the primeval white pine, an incomparable building lumber, that was being rapidly consumed in 1848, and was soon entirely to disappear.

Two sugar industries have been developed. One, the production of beet sugar, has little geographical significance; in 1848, it was unknown. On the other hand, the production of cane sugar is sharply restricted by climate and soil. It has long flourished in the lower valley of the Mississippi. The rich Louisianians of 1848 were generally sugar planters. They did not, however, monopolize the trade, and home production of sugar was almost equalled by the importation. Many years were to pass before sugar took its historic position as one of the great battlefields of American economic legislation. The sugar refiner, who in time was to become the most powerful enemy of the sugar grower, was an unknown figure in American life in 1848.

The corresponding condition did not obtain in the wool industry. Already the clash of interest between the manufacturer of woollens, who wanted cheap raw material, and the grower of wool, who wanted to force up the price of the raw product, foreshadowed an economic battle which, like the battle of the sugar men, is a classic episode in economic history. Most of the animals of the temperate zone can adapt themselves to many varieties of soil, altitude, and climate. Sheep in the United States have thriven over a long accidental diagonal line from western Massachusetts through the forest edges, across the central grasslands, over the great western plateau, into California. Nevertheless, the northeast has produced the most profitable supply of sheep for shearing. The first successful sheep area was the Berkshire hills; thither the fine merinos were brought from Spain early in the century (page 391). Vermont, New York, and Ohio were soon added to the wool country, while a strong weaving industry grew up in New England. In 1848 both wool growing and wool manufacture were protected by the Walker Tariff of two years previous, and there was economic peace between the two industries. We shall see that a change of tariff in 1857 which unintentionally favored the manufacturers at the cost of the growers was one cause of the economic warfare which did its part in precipitating sectional warfare.

It must be apparent that while nature has done something in the way of dividing the country into great economic regions, she has not effected a complete separation, has not made the various regions entirely self-sufficient. Only a few products are wholly limited by geographical lines. Furthermore, a gigantic river system is the distinguishing feature of that central region which is the largest of all the five geographical belts. The relation of this network of rivers to the country as a whole, and the difficulties in the way of complete economic subdivision, were never stated more eloquently than by a great writer who, in 1848, was a minor personage in Congress and about to leave it forever. His name was Lincoln. His discussion of the map of the United States anticipates those later geographers who have written so enthusiastically upon the upper Mississippi valley, the portion north of the line where, in Lincoln's phrase, "the cultures of corn and cotton meet." Lincoln thinks of this region as inextricably bound up in its river system—as geographers generally do. He calls this region "the great body of the republic," but dwells upon its lack of direct access to the sea; "as part of one nation its people now find and may forever find their way to Europe by New York, to South America and Africa by New Orleans, and to Asia by San Francisco"; hence, this region can never consent to be separated from its "marginal" regions, and they, in turn, cannot have economic security unless they possess integral connection with the great interior region which, because of its "production of provisions, grains, grasses and all which proceed from them . . . is naturally one of the most important in the world."

(2) The Distribution of Population

The nation which possessed this varied domain numbered about twenty million.¹ As yet its distribution over the surface of the land was largely accidental. If a line were drawn down the ninety-fifth parallel from Canada to the vicinity of Shreveport, there bent southwest at an obtuse angle, and continued straight to San Antonio, it would divide the portion of the country which in 1848 was regarded as settled from the unsettled. Rather more than half the country lies west of that line. In 1848 it did not contain a fortieth of the total population: a few garrisons at forts along the western trails, a small

¹ By the census of 1850: 23,191,876.

population chiefly Mexican surrounding Santa Fe, the Mormon colony at the Great Salt Lake, a few villages and a number of scattered haciendas in California, some American villages and a number of American farmers in the valley of the Columbia. Eastward of the dividing line population steadily increased until ten degrees nearer the Atlantic, the eighty-fifth meridian, which comes near to dividing Indiana from Ohio and Alabama from Georgia, marked another approximate boundary. Between it and the Atlantic a traveller moving eastward would have no doubt that he was in settled country. It was between the two meridians that was located the indeterminate region of which historians justly make so much under the name of the frontier. A continuous frontier line, however the term is to be defined, could not have been drawn in a way to have significance. The frontier in 1848 was a frame of mind rather than a location, a blend of the social and territorial frontier of the old days (page 317). It persisted in many localities—human islands, so to speak—all the way from Ohio to Iowa, from Georgia to Texas. But these islands were interlaid among others where different views prevailed; sometimes they were points of isolation amidst empty lands. The arithmetical centre of population was calculated as at a point in western Virginia not far from the eightieth meridian.

The American people had moved west upon the familiar paths known to them since colonial days. Changes in the means of transport were the chief difference that had occurred in the mode of migration in a hundred years. Where once they had come on foot or on horseback, now they came in wagons, or in stage coaches, by canal boat, by steamboat, or even in railway cars. By far the larger number had come in wagons. This means, of course, that the face of the land was pretty well covered by roads—most of them, to be sure, pretty bad, but not a few excellently built. The old-fashioned "Macadam" road had a definite plan of construction, a hard firm surface, and sustained successfully immense traffic. Over these roads, good or bad, rolled thousands of conestoga wagons—a long boat-shaped body slung on large wheels, and covered by canvas arched over hoop-like ribs. Made of the best seasoned wood and of hand-wrought iron, that "covered wagon" bore longer and harder use than, in all probability, was ever given to any other type of vehicle. The only luxurious mode of travel was by steamboat. On the Mississippi and

its main tributaries large side-wheel vessels, with numbers of individual staterooms, were very pleasant travelling devices—until, as was too often the case, they ran aground or caught on fire. For eating and drinking these boats were famous. They were also favorite haunts of gamblers. High play, which often ended in a tragedy, was a familiar detail of steamboat travel.

The railways were feeling their way westward, aiming to appropriate the natural paths from the Atlantic to the interior. The famous old route through the Mohawk Valley was now occupied by a string of little railways which had not yet combined in a single trunk line. A road whose projectors had more vision, the Erie, was developing a new path through northern Pennsylvania to compete with the Mohawk route. The standard Pennsylvania route of colonial times, up the Juniata River and across the Allegheny Mountains to the head of the Ohio, had been seized by the Pennsylvania Railway Company, that was working hard to conquer it; but not until 1854 did the Pennsylvania road have a continuous line from Harrisburg to Pittsburgh. Meanwhile, the Baltimore and Ohio was laboring to establish that line of communication from the Potomac to the Ohio which Washington believed in so unconditionally. In 1848 the "B. & O." was creeping west through the difficult mountains where Braddock was defeated. On New Year's Day, 1853, it reached the Ohio at Wheeling. As the century turned its meridian—these were the main roads on east-and-west lines. There were feeble beginnings of an isolated group of railways in Ohio and a very little in the northwest. From these western roads great results were to develop in the decade of the fifties. The south had distanced the west in railway building, but it also had done little to develop its possibilities. Except for one considerable network having two Atlantic terminals, Charleston and Savannah, and extending northwest into Tennessee, the southern railways were more of a prospect than a reality. The development of railways in the south and the west between 1848 and 1861, besides being an economic prelude to the Civil War, was the foundation of all its strategy.

Anything more unalluring than American railway travel in 1848 would be hard to imagine. The only cars in use were of the type known now as "day coaches," but with much poorer springs and less comfortable seats. Some cars intended for night travel were fitted

with swinging shelves which when let down converted one side of the car into three tiers of bunks. Sleeping cars in the modern sense had not been invented. These comfortless night cars were lighted by candles stuck in racks at either end. The heating of cars was by means of coal stoves. So extreme was the discomfort of night travel that George M. Pullman, who experienced it just ten years subsequent to 1848, promptly made up his mind to transform it. After years of experiment he constructed the first Pullman sleeping car (1864).

Though the paths of migration lay on roughly parallel lines east and west, there were certain drifts of human movement that are not to be confused with the paths. These drifts were subjective. They were due not to economic pressure, but to the desire of men to realize their ideals. The one that has had most observation was from southeast to northwest. To be sure, many people moved upon this line for economic reasons—because they were poor, because they saw no future for themselves in the south and thought they might find prosperity in the northwest. These “poor whites,” as they were called, picked their way across Tennessee and Kentucky, or through western Virginia, to the lands beyond the Ohio. They did not follow the main southern migration directly west because they dreaded competition with slave labor. Their motives were both like and unlike those of other southerners with whom they had little in common. These others were reformers who opposed slavery. They went north not to seek their fortunes but to join non-slaveholding communities where they would find a strategic base from which to pursue the abolition crusade.

In people of this sort conviction overweighed the artistic sense. It could not be denied that southern life in its attractive forms was very attractive indeed. Many a northerner in whom, perhaps unaware to himself, the sense of art found a social expression, turned his eyes southward and was captivated by the ideal of plantation life—broad acres, relative isolation, the maximum of individual freedom, limitless hospitality. It is not fanciful to say that for such men the lure of the old south had, in a small way, somewhat the lure that Italy had in mediæval times for imaginative men beyond the Alps. Hence, another drift northeast to southwest, that carried many northerners away from their own section; that made them ardent southerners,

and eventually devoted soldiers in the Confederate army. Some men who are now thought of as typically southern were of this sort—such men as John A. Quitman, from New York, who became governor of Mississippi; and the famous southern orator Sargent S. Prentiss, from Maine.

However, in spite of these cross-currents there is no denying that the chief characteristic in the distribution of population was its westward movement on approximately parallel lines. The explanation was slavery. Working people who thought in terms of wage-earning saw no such lure in the plantation system as was seen by brilliant wanderers who felt sure of their future, such as Quitman and Prentiss. The wage worker avoided the south and kept to the straightaway western movement of the masses of the north and northeast. The line of the fortieth parallel, which is almost the line of the old national road, may be thought of as the backbone on a chart of northern expansion westward.

Perhaps a corresponding line on a chart of southern expansion would be the thirty-second parallel—a line that appears to have symbolized the movement to the southern imagination, a line of which we shall hear again. Here the question arises, since immigrants are generally seeking their fortunes, what did it matter to these southerners moving west where they went? There are two replies. These immigrants were in the typical instances members of the planter class—chiefly younger sons for whom there was inadequate opportunity at home. Had they not been of that class they would have gone northwest to the free lands. Furthermore, they were products of a social system in which they thoroughly believed, and they were bent on carrying it with them. While the bulk of the northern pioneers went west in the spirit of adventure ready to take whatever came and to make the most of it as circumstance might dictate, the bulk of southerners went out as social colonizers aiming to plant a new south under the sunset, and then a newer south, and so on indefinitely.

The result of all this was a real division between north and south that had come about before 1848, but which was not fully stated until later, when Senator Wade of Ohio bluntly put it into words, speaking angrily of "the two nations of this Republic."

(3) Modes of Living

In an astonishing number of ways the America that entered upon its career as a great power in 1848 was the America we know today. It had, to be sure, certain dissimilarities, some of which were temporary and have passed away, while others though apparently eliminated from our economic and social life may still exist in disguised forms. How far the sectional division, in the stage which it had reached in 1848, resembles similar clashes of regional interest that will appear long after and that still exist, is a searching question which should be borne in mind throughout our later story.

Innumerable petty differences, due to the constant fluctuation of human fancy—such as the fact that cricket was more popular than baseball, and that football though popular was very different from the game we now play—have neither more nor less importance than has the caprice of fashion in altering the dresses of women or the hats of men. However, there were features of the life of that day which have the double distinction of being peculiar to the time and also of having passed into solution in the subtle compound of American life, and have contributed to its ultimate character-moulding elements.

The most easily recognized among these social forces that are difficult to gauge is the life of the great plantation in the south. The plantation was a little world in itself. In some cases the planter was an absentee and the plantation a mere investment, but these cases were not typical. The plantation, which became in the southern imagination the ideal social form, was a miniature of the mediæval barony. This was especially true in the rice lands of the southeastern coast, where the greater plantation had its own mills, in addition to the barns, the slave village, and often a slave chapel. It occupied a large extent of land, both cleared and uncleared. The mansion house—often a beautiful building—stood in the midst of gardens, connected by a long avenue with the public road. The immediate landscape was filled by the planter's fields while the horizon was pretty certain to be in part at least forest. As a rule no other mansion was near enough to be in sight. In this open landscape, preoccupied with the care of the soil, amid the lonely beauty that had been wrought out of the soil, the planter and his family spent the most significant

part of their lives. Here they kept "open house," entertaining not only their neighbors but passing travellers with lavish hospitality. On the greater plantations the scale of living was a picturesque combination of sumptuousness and simplicity. Though numerous modern comforts were lacking from these stately plantation houses, their appointments surpassed anything known in America before the rise of the "merchant princes" of the north. Many of the finest Stuart portraits hung in plantation drawing rooms.

The traditions of this country life of the south came direct from England. The wealthy planter often had a town house in addition to his country house, but the latter was the centre of his thoughts. The great festival of the year, Christmas, was always celebrated on the plantation. The social events of the town house, the balls, et cetera, counted for less in planter life than the recreations of the country—the house parties, as we should say; the hunting; the horse racing; the neighborhood dinners, even though the diners had to drive or ride many miles in order to attend.

The mistress of the plantation was a busy woman. Though an overseer, of inferior social rank to the planter, was responsible for all the outdoor labor, the mistress was the one who preserved the morale of the plantation. She personally superintended all that was human and individual in the life of the slaves—saw that they were properly fed and looked after, inspected their cabins, played the physician in all sorts of minor maladies and acted as health officer in more serious maladies. Probably no type of woman yet produced in America combined in her yearly round as much social experience with as much direct and miscellaneous responsibility and as much familiarity with a lonely landscape.

The very opposite of plantation life, in form, character, and traditions, but equally and distinctively American, was a phase of group-interest, to which it is practically impossible to do justice in a few words. New England was its source, sometimes direct, sometimes remote. It was deeply colored by the tradition of the older American colleges, both by those of New England and by their companions that had the same conception of culture in New York, New Jersey, Pennsylvania, Ohio. It was expressed by groups of people, which were to be found in almost every city of importance north of the Ohio, but which were most significant and most influential in cities

of the second rank, where wealth and trade were not completely in the saddle. In the north, in 1848, New York, Boston, and Philadelphia were the cities of the first rank. Though each of them had a group of the sort that we shall now consider, the life of the city was not dominated by it. On the other hand every college town possessed such a group, and by this group the town was run. But at only one place was there a complete instance. The lovely little town of Concord, Massachusetts, in the forties and fifties of the past century, was unique. Its broad shady streets, its pleasant colonial houses, its prim old-fashioned gardens bright in springtime with the storied flowers of English tradition, its surrounding orchards and meadows, its unbroken Protestantism, its freedom from severe class distinctions, made Concord the appropriate seat of a communal idyl. Here Emerson lived all the later part of his life, and here gathered a group of bookish people devoted to ideas who were once called the Concord philosophers. Most if not all of them had begun as Transcendentalists (page 507) and at heart were Transcendentalists still. All possessed moderate comfort but not wealth, and had real libraries of their own. Living close to Boston, where the ruling class was of their own sort, and regarding Harvard as their mental property, they felt nevertheless that their true home was partly in Germany—whose philosophers were their daily companions,—partly in the mysterious Orient, partly in the Golden Age of Greek Legend, which, in a modest way, they felt that they were reincarnating. Their life was quiet. They found pleasure in the natural joys—in taking long walks together, in reading Wordsworth's poems and admiring nature, in tending their gardens, in dining simply at each other's houses and talking interminably upon the loftiest themes. The arch prophet of the group was Emerson.

What was seen in completeness at Concord, around the genius of Emerson, was shadowed in the group of reading people that was found in many a city and town. These people were not what we know today as "the intelligentsia"; even the modern term "the intellectuals" has an implication too sophisticated to serve as their label. Being a sort of shadow of Concord, they represented a blend of simplicity with cultivation, of narrow social experience with wide intellectual range; they had a friendliness both in mind and character, which, paradoxical as it seems, was often wedded to a fanatical

devotion to their own ideas; they were not people of leisure, and did not think of themselves as a separate class from the people of action—they were themselves people of action—and they had great respect for work, but it was for work that had mind in it and was directed by conscience; one way and another, these groups infused into the modern American that astonishing highmindedness joined with a limited vision which makes him on his good side so difficult for Europeans to understand.

Another unique institution was the lyceum. In 1848 every northern and western town, except the very large ones, had its lyceum. The lyceums were independent literary clubs that were also debating societies, whose membership was composed chiefly of young business men. Through the efforts of the lyceums audiences were obtained for visiting lecturers and musicians. The Swedish singer, Jenny Lind, who captivated America in 1851, could not have given her concerts successfully had not the network of lyceums organized audiences for her. As debating societies, the lyceums trained the young men of a hundred communities in the subtleties of parliamentary law; they formed a seminary of politics in which some noted statesmen served their apprenticeship. Furthermore, in their debates, formally conducted, they threshed out many new ideas. When Darwin promulgated the doctrine of evolution it speedily became a popular subject of lyceum debates, and through these debates permeated the thought of the nation. The lyceums formed the popular university of their day.

A word upon the striking fact that so many of the things we take for granted today appeared in the decade that made us a great power. Explain it as you will, the American people fruited a second time, socially and mentally, in the same years when imperial ambition swept us irresistibly to the Pacific. One who knows American history cannot pick up a modern magazine without observing countless reminders of the concentration of American energy in the years between 1840 and 1850. Thousands of advertisements record unintentionally the work of Charles Goodyear, who vulcanized rubber in 1844. Our modern newspapers could not run off their millions of copies had not Richard Hoe invented the rotary printing press (1846). It was his response to the mechanical demands of the type of newspaper which depends for its support on advertising, on a

large circulation, and on more or less startling articles. In 1848 three famous New York papers—*Sun*, *Herald*, *Tribune*—had fully developed this type of periodical. Domestic life had just received a far-reaching new benefit in the sewing machine of Elias Howe (1846). At the close of the inventive decade house furnaces began to replace stoves, while cities were planning to light their streets with gas and to furnish water to householders from municipal reservoirs. Women of wealth were as recklessly extravagant in their dress as they are today; and women not so wealthy, who did not order dresses from abroad, found a social gospel in *Godey's Lady's Book*, a popular magazine, the direct ancestress of those present-day women's magazines which boast of subscriptions by the million. Possibly some of the founders of these later publications knew of an understudy to *Godey's*, *The Home Journal*, edited by a third-rate poet, N. P. Willis. The theatre flourished in every city big enough to provide a paying audience, while opera (1847) was the new and fashionable entertainment in New York.

Among the crowd of inventions none have had a more lasting effect than the McCormick reaper, perfected in 1847. McCormick had been at work upon his invention since 1834. At the same time, the old wooden plow gave place to the iron plow which was succeeded by the steel plow invented by John Deere. These new machines transformed agriculture and made possible its adaptation to the northern grass lands just when immigration was beginning to flow over them. A new type of farm, a new pattern of farm life, made its appearance on the unforested prairies, where there was abundant land free of stones. The mechanical reaper made possible an era of large fields. The heavy prairie soil was broken by the steel plow. But without wood for fencing the prairie farmer would have been in a bad way, had not steel wire come into use almost simultaneously with the reaper and the new types of plow.

Over against the new farm life of the west arose the new organization of capital, between which and the farming interest so many of the later economic battles have taken place. Even in 1848 "Wall Street" had become a familiar term, and often was the shibboleth of discontent. What was soon to be called big business had not definitely appeared, but was just over the horizon; it was to cross the horizon within a few years in the shape of the first important railway merger

—the combination of lines in the Mohawk valley into one strong "system." The mechanism of a new business age had been provided through a double achievement: first, through perfecting the business corporation in which the stockholders having once paid for their stock are not liable to further assessment and are not responsible for the debts of the corporation; second, through making such investment popular, inducing large numbers of small investors to buy stock. Scattered communities of stockholders were thus created with the result that the conservative interests of sheer money could rely upon wide popular support, and also that the business world as a whole began to transcend locality and to exercise a national control over geographic conditions. This could hardly have been except for the epoch-making new invention of the electric telegraph. In 1844 Samuel F. B. Morse put it into operation on the world's first telegraph line, which extended from Baltimore to Washington.

Intellectually the Americans of 1848 were curiously placed. In a way they were between two worlds. The literary and philosophical interests of the early century had exhausted themselves and while many of the most notable minds were still producing, more production of the same sort was hardly to be expected. This was not so true in science, which was being fostered at all the American universities and was slowly, steadily moving forward. In the subject that links literature and science, history, the greatest figure among American historians, Parkman, was quietly carrying the best traditions of scholarship into the new day. Several young men not yet famous in 1848 were soon to reveal an independence, a genuine sense of the art of letters freed from propaganda, that scarcely any one in the day that was passing had possessed in the same degree. Hawthorne, Melville, and Thoreau stand out conspicuous. With them, though deeply tinged with the zeal of the propagandist, stands Walt Whitman.

A book that was written in 1848 is a monument in the history of American thought, and also, unaware, a prophecy of the most insistent problem of later political science. It was a *Disquisition on Government* by Calhoun. The political ideas of Calhoun grew out of partisan and sectional interests but quickly transformed themselves, in his intensely speculative mind, into general propositions. Behind the *Disquisition on Government* lies a long mental pedigree made up of the thoughts and experiments of many men and many organiza-

tions that had struggled ever since the Reformation with the problem of sovereignty in a state which has repudiated the divine right of kings and also that other theory of divine right which would set up a governing church. The fundamental effort in all such thinking was to devise some sort of popular government in which a majority of the citizens should not become the heirs of the old despotism of kings and pontiffs. Milton had this problem in mind when he wrote his famous line, "New presbiter is but old priest writ large." Setting aside all the special application to Calhoun's problems as a statesman of the general ideas he developed, regarding him for the moment as a political philosopher and nothing else, there is a wavering line of descent from Milton's *Areopagitica* through many, sometimes inconsistent, channels to the *Disquisition on Government*. That Calhoun solved his problem, that he devised an imaginary state in which no one group would be able to play the despot over other groups, can hardly be said. The historic importance of his *Disquisition* is in presenting the idea as a pressing necessity of political science, in opening definitely the speculative controversy upon group-rights in government which is the present version of the indestructible question, Where in organized society is sovereignty located; is it, can it, be anything but brute force, the power of the club? ¹

(4) *The American Genius*

If all the types of American known in 1848 could have been reduced to a composite, what would have been its prime factors? One can easily reply that the question implies an impossibility. In a way, this is true. To draw up a character formula that shall include a

¹ "The adoption of some restriction or limitation which shall so effectually prevent any one interest, or combination of interests, from obtaining the exclusive control of the government can be accomplished only in one way—that is, by such an organism of the government . . . as will by dividing and distributing the powers of government, give to each division or interest, through its appropriate organ, either a concurrent voice in making and executing the laws, or a veto on their execution . . . it is only by the one or the other that the different interests, orders, classes, or portions into which the community may be divided, can be protected and all conflict and struggle between them prevented. . . ."—Calhoun, *Disquisition on Government*, in his *Works*, edited by R. K. Cralle, Vol. I. A reissue of the *Disquisition*, historically edited, by Frances McCombs is announced. Calhoun anticipated his final views in a very important speech in the Senate, February 15, 1833; it is reported in the *Register of Debates in Congress*. See also his *Discourse on the Constitution* and the famous *Fort Hill Letter*. Professor J. T. Carpenter, in *The South as a Conscious Minority*, has a useful chapter on "The Principle of the Concurrent Voice," but treats the argument as politics and not as general political science, and therefore does not develop its great historic significance.

nation is obviously very difficult. Nevertheless, it is true that back of every strong race or nation is some group of characteristics all of which never appear in any one person but which cast their shadows, so to speak, on the consciousness of each individual. Obviously, here is a subject—the personality of a race, what it is besides descent or residence that makes a man an Englishman, a Frenchman, or an American, and not something else—which is immensely deep and baffling and will repay interminable study. In the narrow compass of the last section of a chapter one must be content not to aim at anything very profound but merely to state a few salient facts.

Whatever else the American was, and is, he is a striking example of physical courage. Sprung from races that were peculiarly prone to dare, his long experience of frontier conditions has intensified his heredity. The love of adventure has become part of him.

But there was something besides the daredevil in this love. Though America has always had its full share of daredevils, its most characteristic adventures have had in them another element. We may say that the Americans are creative adventurers; they long to have the adventure end in a result, in the addition to the world of something it had not had before. Perhaps this had one root with a feeling for work not peculiarly American but that was developed in America to a peculiar degree. The sense of having done your work well was in the American mind—or at least in the minds of numbers of Americans—something almost sacred. It was neither the resignation toward work of a class that had no aspirations; nor the common sense application to the daily task of standards of thoroughness and honesty derived from conscience; it was a poetical, even a mystical idea—strange as this may seem—which had its source in religion, and was the solace of the worker because it made him feel that humanly good work, done to the best of its understanding, became part of the creative force of the universe, was co-operating with God.

This singular attitude toward work brings us side by side with a general tendency of the American to let his thoughts become abstract. How and why this had come about is not to be told with certainty. But there it was, sometimes ennobling his ideas, as when it crowned his work with a halo of sanctity; sometimes vitiating his thought, as when it robbed him of human sympathy and caused him to think of men as if they were abstractions, as was the case with the abolitionists

and with certain southern extremists whom we are soon to encounter ; sometimes checking his sense of realism, giving a shadowy theoretical turn to his thought, which will appear later, making him time and again the victim of illusions, the champion of fancies.

Interlaced in a most confusing way, these characteristics entangle themselves with conscientiousness and with altruism. Few nations, granted their assumptions, have produced a larger percentage of people who conscientiously carried them out. It is doubtful whether any nation ever has done so much for the good of other nations without hope of reward. At the same time, in apparently complete contradiction of these assertions, few nations have ever produced such ruthless promoters, such perfectly conscienceless masters of exploitation, such unrestrained opportunists.

To repeat, it is not easy to draw up a formula that will include a nation. Let us rest the matter by citing two characters. Both are on the credit side of the ledger of America's character resources. But they appear on the surface to be as unlike as men could be. Each is drawn from the mental stratum which best illustrates a nation, the stratum below genius and above mediocrity. They are Horace Greeley and George Ticknor.

Greeley, editor of *The Tribune*, writer of wide popular appeal, an idealist, a fanatic, a passionate abolitionist, illustrates all that has been said about the tendency in the American toward the abstract and the mystical. His feet were never quite firm on the solid earth. Whether as friend or enemy he was never quite fair. And yet he was strangely noble. Perhaps the bitterest enemy of Jefferson Davis, when the Civil War was over and Davis was in prison Greeley went on his bond to obtain his freedom. Greeley was an ideal leader of a crusade.

No one man could better represent the raw gunpowder that has supplied the explosive energy, in greater or less degree, of so many American undertakings. But a nation made up altogether of Greeleys would destroy itself. What has saved us from destruction in our successive crises ; what has carried us through and enabled us for all the Greeleyan rashness to start over, has been the prevalence in our composite of the character-stuff of Ticknor. His portraits in youth and age show beautifully how strength may blend with sympathy and firmness may be charged with moderation. Sprung from the best of

old New England, he travelled much, became a professor at Harvard, and wrote a meritorious *History of Spanish Literature*. He was a devoted Whig of the school of Webster, believing that temper in politics is perhaps the most important single element and that the value of freedom, in Burke's immortal phrase, was not the fact of its existence but the use that was to be made of it. A steadfast northerner he looked on slavery as a curse, and yet his largeness of vision and his intellectual poise enabled him, at the opening of the Civil War, to write to an impetuous friend, "I heard with great pain the tone of your remarks about the southern secessionists and their leaders. They are in revolt, no doubt, or in a state of revolution, and we must resist them to the death. We can have no government else, and no society worth living in. But multitudes of men in all ages of the world have been under delusions equally strange and strong, and have died loyally and conscientiously in defense of them. . . . We should, I think, recollect in dealing with our present enemies, not only that they are fighting for what they believe to be their rights in open recognized warfare, but that, whether hereafter we are to be one nation or two, we must always live side by side, and must always have intimate relations with each other for good or for evil to both; and I, therefore, sincerely deprecate, as for twenty years I have deprecated, all bitterness and violence toward the southern states, as of the worst augury for ourselves, and for the cause of civilization on this side of the Atlantic."

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BIBLIOGRAPHICAL NOTE

The fundamental problem in the bibliography of a college course is the inevitable limitation upon the students' time. The graduate student differs from the upper classmen not so much in approach and point of view as in this unyielding matter of the time at his disposal. Therefore, the term bibliography has more than one connotation. For present purposes we may recognize two invariable connotations and two more that depend upon circumstances. (1) Obviously, regarding the text as a general survey, the student will perceive certain portions of the story, perhaps the major part of it, which he will want to orient in a perspective, so to speak, more detailed than can be found in a general survey. (2) Equally obvious is the almost certain desire, with regard to some particular subject that ramifies out from the survey, to pursue it a long way toward its roots.

A textbook bibliography should enable the student to accomplish either or both of these purposes, but should not assume that they can be traced out with the elaboration which is natural enough in the case of the research student. Therefore, a great deal of this supplemental reading may be done in secondary writings of first-class quality. But it must be borne in mind that

these are expressions of human beings and there is never any telling when a personal bias may creep in.

(3) The compilation of further bibliographical aid may be considered the first of the two purposes that are not invariable. As a rule this will not be necessary in the orienting of the general survey with regard to a larger view. It will often be necessary in pursuing a special topic. For this purpose, the given bibliographical references may all be regarded as "leads" which through their own references may be used to carry the students beyond themselves.

(4) The last of these four considerations is the offering to the student of a few suggestions—which he may or may not use according to circumstance—indicating the nature and the whereabouts of historical sources.

The present book uses mainly the reliable secondary writings in the general chapter bibliographies. The very special bibliographies that are listed under specific topics are intended to be "leads" for the exceptional student who, because of one reason or another, has time and inclination to use them, especially in connection with controversial issues. The mention of a few books that are of extensive scope, a few organized aids to study, and a few collections of sources conclude this introduction.

There are four series of volumes that deal with the whole subject of American History. *The American Nation: a History*, 28 vols., by various authors, edited by A. B. Hart, maintains a high level of excellence. *The Chronicles of America*, 50 vols., various authors, edited by Allen Johnson, is not quite so uniform in quality but is reliable, and some of the volumes are important contributions; they have the merit of being brief and readable. *History of American Life*, 12 vols., various authors, edited by A. M. Schlesinger and D. R. Fox, is first of all social in its outlook. *The Pageant of America*, 15 vols., various compilers, is a very interesting pictorial review of the entire kaleidoscope of the American scene.

It is a question whether any single treatise deals adequately with the whole story, but *A History of the United States*, 6 vols., by Edward Channing, is doubtless at the head of the list. Professor Channing's colleague, Professor Morison, may be forgiven for calling it "the best work from a single pen covering the entire field." Two famous histories of comprehensive scope, now rather discredited, are *History of the United States*, 6 vols., by George Bancroft, and *The Constitutional and Political History of the United States* by H. von Holst. In spite of being under a cloud each is a work of great ability, though sadly biased in its point of view—the former nationally, the latter sectionally. Two other treatises written a good while since are *History of the United States*, 6 vols., by James Schouler, and *History of the United States*, 6 vols., by Richard Hildreth. Both are worth consideration but are mainly supplanted by later works. Hildreth comes no further down than the end of Monroe's administration. He suffers in contrast with the brilliant *History of the United States of America during the Administrations of Jefferson and Madison*, 9 vols., by Henry Adams. The period of the Re-

public is covered by three long histories to be found in all libraries. *A History of the People of the United States*, 8 vols., by J. B. McMaster, closing with 1861, is a valiant attempt to depict the life of the nation and is valuable chiefly for the source material—extracts from newspapers, etc.,—which it includes. *History of the United States from the Compromise of 1850*, 7 vols., by James Ford Rhodes, was almost revolutionary in its day, and is still of prime value, though steadily withdrawing into the background of the subject. The most extensive narrative of events since 1865 is *A History of the United States Since the Civil War*, by E. P. Oberholtzer. Conspicuous among treatises are two monumental works dealing with colonial times. The sequence of separate narratives entitled collectively *France and England in North America*, by Francis Parkman, is a chief ornament of American scholarship and forms a genuine epic of the contest of two civilizations to dominate the West. Of first importance are seven volumes by H. L. Osgood, *The American Colonies in the Seventeenth Century*, 3 vols., and the *American Colonies in the Eighteenth Century*, 4 vols. The writings of John Fiske, which are treated nowadays with condescension, are not without merit, and are very readable, but should be used with caution because Fiske was more industrious than critical in his studies.

An extensive list of the works that trace particular topics in detail during a long period might easily be compiled. Some of these are cited in the chapter bibliographies. A few that should have a place in every college collection are Bogart, *Economic History of the American People*; Commons, *History of Labor in the United States*; Calhoun, *Social History of the American Family*; Clarke, *History of Manufactures in the United States, 1607-1860*; Dewey, *Financial History of the United States*; Faulkner, *American Economic History*; Gettel, *History of American Political Theories*; E. R. Johnson, *History of Domestic and Foreign Commerce of the United States*; Latané, *A History of American Foreign Policy*; Merriam, *American Political Theories*; Paxon, *History of the American Frontier*; Parrington, *Main Currents of American Thought*; Semple, *American History and Its Geographic Conditions*; Turner, *The Frontier in American History*; Stanwood, *History of the Presidency*; Taussig, *Tariff History of the United States*; Schlesinger, *New View Points in American History*; Warren, *The Supreme Court in United States History*.

Among the collective works that are of especial help are *The Dictionary of American Biography*, begun by Allen Johnson and carried on by Dumas Malone. The *Cambridge History of American Literature*, 4 vols., and *Cyclopedia of Social Sciences*, published at Columbia University, are in the same category. One is tempted to add *The American Secretaries of State and Their Diplomacy*, 10 vols., various authors, edited by S. F. Bemis. Never to be forgotten are *The American Historical Review*, the *American Economic Review*, the *Quarterly Journal of Economics*, and the *Political Science Quarterly*.

Formal aids in bibliography, so far as America is concerned, are still in-

adequate. The old *Guide to the Study and Reading of American History*, by Channing, Hart, and Turner, has not been superseded but now seems rather summary and its bibliographies are not up to date. *Writings on American History*, published annually by G. G. Griffin, under the auspices of the American Historical Association, is invaluable. There is also, Dutcher, *A Guide to Historical Literature*; Turner and Merk, *List of References on the History of the West*; Mode, *Source Book and Bibliographical Guide for American Church History*; Winsor, *Narrative and Critical History of America*; Larned, *Literature of American History, a Bibliographical Guide*. Add to these Jameson, *Historical Writing in America*; Gee and others, *Research in the Social Sciences*.

Certain descriptive works deserve a place in any collection of Americana. For example: Bryce, *The American Commonwealth*; Beard, *American Government and Politics*; Holcomb, *State Government in the United States*; Munro, *Government of the United States and Government of American Cities*; Nevins, *American Life as Seen by British Travellers*; Rogers, *The American Senate*; W. W. Willoughby, *The American Constitutional System and Constitutional Law in the United States*; W. F. Willoughby, *Territories and Dependencies of the United States*.

As to documents, it is almost fair to say there is no limit. First of all come the publications of the United States government, which are multitudinous. Only the older libraries that are government depositories contain comprehensive collections. But all libraries old and new endeavor to provide themselves with *The Congressional Globe* (1833-1873), 108 vols.; and *The Congressional Record* which is still issued. These contain a full account of the proceedings of Congress since 1833. For earlier proceedings there are *Annals of the Congress of the United States* (1789-1824), 42 vols., and *Congressional Debates* (1825-1837), 29 vols. *The Journals of the Continental Congress* (1774-1789) have been published by the Government in some thirty volumes. An old publication known as Elliot's *Debates* is important for discussions in State legislatures on the adoption of the Constitution. The classic collection of documents with regard to the Constitutional Convention is *Records of the Federal Convention of 1787*, 3 vols., edited by Max Farrand. A recent government publication that covers much the same ground and may be had at slight cost is *Documents Illustrative of the Formation of the Union of the American States*, one large quarto, 1100 pages. *The Messages and Papers of the Presidents*, 10 vols., compiled by J. D. Richardson, is very desirable and can frequently be picked up for a few dollars. The *Biographical Congressional Dictionary* gives full lists of the membership of all the Congresses and a brief biographical sketch of each member. The decisions of the Supreme Court are made available in a series of publications which as a rule are not met with outside the law libraries and the few very large collections. They are described in Channing Hart and Turner, *Guide*; their use to the student may be gathered from the notes of Warren, *Supreme Court*. The *Statutes of the United States* offer the same difficulty as the court re-

ports. The comprehensive collection is the *Statutes at Large of the United States of America*. The *Revised Statutes* is a collection showing the laws of the United States in force on December 1, 1873. It was issued by the Government in 1875 and has been continued by *Supplement to the Revised Statutes of the United States*. Very useful is Scott and Beaman, *Index Analyses of the Federal Statutes*. The Government has also issued collections of laws on particular subjects such as its volume of tariff acts. Of late years the Library of Congress has put out a number of bibliographies of particular subjects. These are most desirable and cost in paper almost nothing.

Two enormous publications of the Government are the *Official Records* of the Civil War and the *Census*. The former, now difficult to obtain, fills 128 volumes. It is supplemented by the *Journal of the Congress of the Confederate States of America*, 8 vols., and by *Messages and Papers of the Confederacy*. Conspicuous among foreign collections of American material is the work of Henri Doniol, *Histoire de la France a l'establissement des Etats-Unis d'Amerique*, 5 vols.

The *Census* has grown from one small volume to a gigantic publication in many volumes. The earlier issues are, today, inaccessible in most places. Very useful and convenient is the *Abstract of the Census*. A *Statistical Abstract of the United States* is issued annually by the Census Bureau; it is inexpensive and of first importance. A *Statistical Atlas* is issued with each census. Very desirable is Harper's *Atlas of American History*, edited by D. R. Fox; more extensive is Paulin, *Atlas of the Historical Geography of the United States*—a folio issued by the Carnegie Institution of Washington. A good collection of treaties is Malloy, *Treaties . . . between the United States and Other Powers, 1778-1909*, 2 vols. There is also a government publication *Treaties in Force* (various editions). Any library is fortunate if it has Moore, *Digest of International Law*, 8 vols., which contains a large part of the basis of our foreign relations. The *Reports* and *Bulletins* of the various departments and bureaus at Washington are most desirable, for special studies, but they are so voluminous and different libraries differ so widely in the character of their collections of such documents that specific citation for present purposes is futile. Specific information with regard to Government publications may be had by writing the Library of Congress, or from the Superintendent of Documents, United States Government Printing Office, Washington, D. C.

A compact and excellent survey of the entire country, each year, is the *World Almanac* which reinforces the *Statistical Abstract*.

Many source books give useful selections from documents, though, naturally, the choice of selection differs with the particular interests of each compiler. William Macdonald has issued three such collections that have long been in use. They are cited in the bibliographies, not because they are certainly the best, but as familiar types of working books. Professor Macdonald has condensed his collections in his *Documentary Source Book of American History*. Similar in purpose and quality are such books as Hart,

History Told by Contemporaries; Johnson, *Readings in American Constitutional History*; Pease and Roberts, *Selected Readings in American History*; Callendar, *Selections from the Economic History of the United States*; and many others including the great *Documentary History of American Industrial Society*, 10 vols., edited by J. R. Commons. Collections of contemporary accounts are illustrated by a series of *Original Narratives of American History*, edited by J. F. Jameson; the *Jesuit Relations*, and the *Western Travels*, edited by R. G. Thwaites; and a large variety of other travels, of which typical specimens are in *American Life as Seen by British Travellers*, edited by Allan Nevins. American historiography is rich in memoirs and diaries. The most famous is the enormous *Memoirs; comprising Part of His Diary from 1795 to 1848*, by John Quincy Adams. Of first value are such works as the correspondence of Abigail Adams, Prescott's memoirs and those of George Ticknor, Mrs. Chestnut's *Diary of Dixie*, and a host of personal narratives dealing with migration westward.

It will not do to forget the existence of certain documentary matter that is scantily represented in many American libraries. These are the great publications of the British government upon colonial affairs. The *Calendars of State Papers* typify this group; also *Acts of the Privy Council*, *Colonial*, and *Proceedings and Debates of the British Parliament Concerning North America*.

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